

William Wakefield,
Thomas H. Escott,
Timothy Brown,
John C. Bauman, jr., and
Harley E. Barrows.
Ensign Francis S. Page, United States Naval Reserve Force,
to be an ensign.

The following-named citizens to be acting chaplains with the rank of Lieutenant (junior grade):

Earl W. Foster, a citizen of Kentucky, and
Alfred de G. Vogler, a citizen of New York.

POSTMASTERS.

INDIANA.

George F. Ritter, Cayuga.

MAINE.

Fayette S. Brown, North Vassalboro.

INDIANA.

Lawrence J. Etnire, Williamsport.

MARYLAND.

Sophie E. Posey, Indianhead.

NEBRASKA.

Charles H. Oldham, Butte.
James R. Ryan, Humphrey.
Stella V. Caulfield, Newcastle.
Etta M. Guthrie, Silver Creek.
Jennie Frazell, Wauneta.

NEVADA.

Albert B. Karns, Carson City.

WISCONSIN.

James J. McEntee, De Forest.

SOUTH CAROLINA.

Power W. Bethea, Conway.

HOUSE OF REPRESENTATIVES.

SATURDAY, May 25, 1918.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We bless Thee, Almighty God, for all the great and good men of all the world who have contributed to the sum of human happiness; for all that we have done here and elsewhere as a people for the uplift and betterment of mankind.

We look back with gratitude to Thee and we trust with pardonable pride to the deeds wrought by our fathers in the establishment of a government of the people, and which, through all the vicissitudes of the past, their sons have maintained and upheld in reaching out a helping hand to the oppressed and downtrodden of all the world.

We are facing a world-wide crisis which threatens the overthrow of all the achievements of the past and present which freemen have sought to establish and uphold.

Let Thy blessing follow us and our allies in the stupendous struggle and give us at last a victory which shall establish peace for all the world and liberty for all mankind; and glory and honor and praise shall be Thine forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

QUESTION OF PRIVILEGE.

Mr. WALSH. Mr. Speaker, I rise to make a few observations on a matter which I think borders on a question of privilege.

Mr. KITCHIN. Will the gentleman withhold a moment?

Mr. WALSH. Yes.

ELECTION TO A COMMITTEE VACANCY.

Mr. KITCHIN. Mr. Speaker, I move the election of Mr. STEPHENS of Mississippi to fill a vacancy on the Committee on the Census among its Democratic membership.

The SPEAKER. The nomination of the gentleman from Mississippi [Mr. STEPHENS] for a place on the Census Committee has been made. Are there any other nominations? If not, those in favor of the election of Mr. STEPHENS of Mississippi will say "aye," those opposed "no."

The question was taken, and Mr. STEPHENS of Mississippi was elected.

QUESTION OF PRIVILEGE.

The SPEAKER. Now what is it the gentleman from Massachusetts desired to call attention to?

Mr. WALSH. Mr. Speaker, in the daily Record of May 22 there appears on page 7490, under permission granted to the gen-

tleman from New York, Mr. CALDWELL, an "extension of remarks." These remarks were evidently intended to convey information to the country as to the establishment of a mutual admiration society of which the gentleman from New York and the Secretary of War are the charter members. I have made diligent inquiry among Members of the House on both sides and was present on May 22 quite constantly, and I have been unable to ascertain that these remarks were delivered on the floor of the House. And yet, strange though it may seem, expressed throughout those remarks, at the end of several eloquent periods, in brackets appears the word "Applause." I had thought that a certain other distinguished gentleman, a Member of this body, had a sort of copyright upon that infraction of the rules in inserting applause in his remarks when he delivered them. I believe that this extension of remarks appearing in the RECORD containing the word "Applause" in remarks which were not delivered on the floor of the House ought to be corrected, and I believe that the incident requires some explanation.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. WALSH. In addition to that, I think that the extension of remarks under the leave granted is open to criticism in another direction. I will yield to the gentleman for a question.

Mr. MONDELL. The gentleman thinks this is an infringement on the copyright or monopoly of another gentleman he has mentioned?

Mr. WALSH. Yes; although I have not mentioned the gentleman.

The SPEAKER. Does the gentleman make a motion on the subject or not?

Mr. WALSH. Yes; I intend to. I think that the remarks should be corrected by expunging the words indicating the happening of something on the floor of the House which did not occur.

But I notice that the gentleman from New York is not present this morning, and perhaps it will be only fair and just to him that the matter be brought to his attention in this way, and I will defer making the motion until I ascertain that he is present. But I think it is only fair to the Members of the House, as affecting its dignity and the strict observation of its rules, that this matter should be brought to their attention.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 9715. An act extending the time for the construction of a bridge across the Bayou Bartholomew, in Ashley County, Wilmot Township, State of Arkansas;

H. R. 4910. An act to authorize the establishment of a town site on the Fort Hall Indian Reservation, Idaho; and

H. R. 5489. An act to authorize the Secretary of the Interior to exchange for lands in private ownership lands formerly embraced in the grant to the Oregon & California Railroad Co.

RENT PROFITEERING IN THE DISTRICT OF COLUMBIA—CONFERENCE REPORT (NO. 600).

Mr. JOHNSON of Kentucky. Mr. Speaker, I call up the conference report on Senate joint resolution 152, to prevent rent profiteering in the District of Columbia.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Joint resolution (S. J. Res. 152) to prevent rent profiteering in the District of Columbia.

Mr. JOHNSON of Kentucky. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that the statement be read in lieu of the report. Is there objection?

There was no objection.

The statement was read.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the joint resolution (S. J. Res. 152) to prevent rent profiteering in the District of Columbia having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, and 28, and agree to the same.

Amendment numbered 1: That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same with an amendment, as follows: In lieu of the language proposed by the House insert the following: "a treaty of peace shall have been definitely concluded between the United States and the Imperial German Government, unless in the

meantime otherwise provided by Congress," and in line 3 of the engrossed bill, after the word "until," strike out "the"; and the House agree to the same.

Amendment numbered 4: That the Senate recede from its disagreement to the amendment of the House numbered 4, and agree to the same with an amendment as follows: On page 1, line 6, of the engrossed bill, after "agreement," strike out the strike out "or written" and insert "of"; and the House agree to the same.

Amendment numbered 27: That the Senate recede from its disagreement to the amendment of the House numbered 27, and agree to the same with an amendment as follows: On page 2, line 16, of the engrossed bill, after the word "agreement," strike out "or written" and insert "of"; and the House agree to the same.

BEN JOHNSON,
ROBERT CROSSER,
WM. J. CARY,
Managers on the part of the House.
WILLARD SAULSBURY,
ATLEE POMERENE,
LAWRENCE Y. SHERMAN,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the joint resolution (S. J. Res. 152) to prevent rent profiteering in the District of Columbia submit the following written statement explaining the effect of the action agreed on:

The Senate recedes from its disagreement to the amendments of the House numbered 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, and 28.

Amendment numbered 1: The Senate recedes with an amendment. The effect of this change in the amendment of the House is to make this legislation effective until a treaty of peace shall have been concluded between the United States of America and the Imperial German Government unless, in the meantime, otherwise provided by Congress, instead of until one year after such treaty of peace shall have been concluded as provided in the House amendment.

Amendments numbered 4 and 27: The Senate recedes with amendments. These amendments simply strike out after the word "agreement" the two words "or written" and insert the word "of."

BEN JOHNSON,
ROBERT CROSSER,
WM. J. CARY,
Managers on the part of the House.

Mr. JOHNSON of Kentucky. Mr. Speaker, unless some gentleman desire that I yield, I will move the previous question.

Mr. GILLETT. Will the gentleman yield to me five minutes?
Mr. JOHNSON of Kentucky. Yes; I yield five minutes.

Mr. GILLETT. Mr. Speaker, we all recognize, of course, as I certainly did when this resolution came up, the purpose of it, that it was intended to remedy a most distressing and unfortunate condition, and I at the time assumed that it was the best that could be done. Since then certain facts have been brought to my attention which I think it is no more than fair should be suggested to the House. Very likely other Members have heard of the same.

This resolution practically provides that all rents and tenancies now in existence shall continue during the war. I was told recently, since this resolution was passed, of a case—and I presume it is not an isolated one—where a gentleman bought a piece of business property about three years ago which was under a 20-year lease, of which 17 years had run out, leaving, of course, only three years remaining of this long lease. He bought the property with an appreciation of the fact that there were only three years more of the lease to run. The property happened to be located right in the center of the business community, and of course its value had tremendously increased during those 17 years, and of course the original rent was entirely inadequate to the present situation. That gentleman supposed that at the termination of the three years he could charge a rental proportionate to the value of the property. It chances that that 20-year lease is just running out. Under the terms of this resolution the owner of that property could only get the rent which was proper 20 years ago, which would be an insignificant and unfair return on the price which he paid.

Another phase of the situation has also been brought to my attention—and this is natural in the case of every large city, but it is peculiarly true of Washington, considering the abnormal condition of its business property in the last year. There are many people leasing properties under temporary leases month after month far below what is a fair return on their value, and which are only renting temporarily because of unusual conditions, but under this resolution they would continue during the war at that unreasonable rate.

The gentleman from Kentucky will remember that I suggested these inequalities, and he recognized them, and I suggested an amendment to the House amendment, which was not subject to a point of order, providing that the resolution should not apply to business property which was rented at less than 10 per cent gross on its assessed valuation. I did not care what the percentage was, so long as it was a fair income which a man should receive. I am inclined to think the gentleman from Kentucky [Mr. JOHNSON] agreed with me, and he stated yesterday that he suggested it to the conferees, but that the Senate conferees were unwilling to adopt it. Such an amendment can not be considered in the House now. Even voting down the conference report would not do any good, because we can not amend our own amendments, but I wish to call attention to it.

I can not express my opinion of the action of the Senate conferees in objecting to what seems to me such an exceedingly reasonable and fair and moderate proposition, because it would not be parliamentary for me to state the opinion that I have of their judgment in the matter; but it does seem to me that, although this resolution doubtless originated in a good purpose, yet it is extremely unfortunate that men should be so blinded by the object they have in view that they can not see that this action may create other injustice, not equal, perhaps, to that which it will remedy, but which at the same time might also have been avoided. I think it was very unfortunate that the Senate conferees were unwilling to consider such a suggestion and adopt something along the line of my suggestion.

Mr. JOHNSON of Kentucky. Mr. Speaker, I wish to say that the disposition of the Senate conferees not to take up the matter of which the gentleman from Massachusetts has just spoken was not because of a lack of sympathy with it, but, if I understand them correctly, they were of the opinion that this resolution, in order to meet hundreds and perhaps thousands of cases which need to be met, should become a law before the 1st of June, and that if time were spent between the House and Senate in buffeting amendments back and forth it would not be passed in time to reach the cases of which I have just spoken. I do not know but what they are right about it. I suggested an amendment, not to deal with rates but with time, which might have met the situation about which the gentleman from Massachusetts has spoken, but there was a disposition not to give any further delay by considering amendments. The amendment of which I spoke dealt wholly with time, and I thought it would not bring about further delay; but, out of apprehension that it would create delay, the Senate conferees were desirous to proceed with the enactment of the resolution in its present form.

Mr. LONDON. Will the gentleman yield for a question?
Mr. JOHNSON of Kentucky. I yield to the gentleman from New York.

Mr. LONDON. With the adoption of this resolution all leases which provide for extortionate rent are practically recognized?

Mr. JOHNSON of Kentucky. Recognized for the life of this resolution; yes. In my opinion, however, where we find one extortion recognized there are hundreds and hundreds of leases in which there is not so much extortion, which will be protected and continued.

I yield five minutes to the gentleman from Indiana [Mr. Wood].

Mr. WOOD of Indiana. Mr. Speaker, the gentleman from Massachusetts [Mr. GILLETT] has pointed out one hardship that is worked by this measure. While that is true, and while it demonstrates that this legislation is not adequate to meet this emergency, upon the other hand, this bill absolutely authorizes and will continue to authorize profiteering in the city of Washington. There is nothing in this bill that will prevent those who have leases from subletting rooms within the premises that they have leased at any kind of a price that they may wish to dictate. That is the trouble about this measure. It is a pure makeshift, and to my mind is going to be the means of preventing any further legislation upon this subject. Testimony has been offered before the Committee on Appropriations which discloses the fact that within the next six or eight months there will be at least 27,000 additional clerks coming into the city of Washington to take up this war work, 75 per cent of whom it is estimated will be women. There is nothing in this measure

that will protect a single one of these women against this profiteering scheme.

I have appealed to the District Commissioners hoping that possibly some relief might be had through them. They are anxious that some relief be had, but it seems that they have no power by which they may give it. I suggested that it might be well to shut off the appropriations for the city of Washington until such time as the people of the city of Washington will themselves take this thing in hand and the public press expose the outrages that are being daily committed here. I find that it is not only the owners of real estate who are resorting to this profiteering business, but now, to give it a tone of respectability, the banks of this town are likewise engaging in it. They have served notice on these clerks that they will charge them 50 cents a month for taking care of their accounts, unless they agree to keep \$100 in the bank continuously. I am glad to say, however, that there are a few banks that spurn this proposition and resent the idea that they are 50-cent banks. Yet there are national banks, with charters from the United States Government to conduct a banking business in the city of Washington, that are refusing to accept accounts until they are paid 50 cents for the acceptance, and under an agreement that the depositors are to pay 50 cents per month as long as they keep their accounts there unless they continuously have \$100 on deposit; and these depositors do not receive any interest upon their deposits. This is the condition that we are confronting in the city of Washington, and it should appeal to every man in this House and to every man in the other body that something should be done to relieve this situation. It is not exceptional. It seems to be the general rule.

Mr. MADDEN. Will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. MADDEN. Why do not they put their money in the postal savings bank?

Mr. WOOD of Indiana. They have to put their money some place where they can get at it occasionally.

Mr. MADDEN. Does not this practice prevail in all the banks all over the United States?

Mr. WOOD of Indiana. It does not.

Mr. MADDEN. It does.

Mr. WOOD of Indiana. It may prevail in Chicago, but it does not prevail in any city that I know of in the State of Indiana, and it did not prevail in the city of Washington before this war began.

Mr. MADDEN. All the banks in the United States pay interest on all deposits of over \$1,000, or nearly all of them.

Mr. WOOD of Indiana. That may be true when the deposit amounts to \$1,000.

Mr. MADDEN. And when they run down below the point where they can afford to keep the account, they charge the depositor something in order to recoup them for the interest they pay on the larger accounts.

Mr. WOOD of Indiana. And that is the sacrifice the great banking system of this country is making for the war in the city of Washington. I want to say that before this war began these banks were soliciting every clerk who came to this city and soliciting every Congressman who came to this city for the purpose of getting their accounts, and there was no question raised about paying 50 cents a month. They were also bidding and promising that they would give interest on balances.

Mr. MADDEN. Under the law recently passed, perhaps the banks will give this money to the Red Cross.

Mr. WOOD of Indiana. They may and may not, and I expect not.

Mr. CAMPBELL of Kansas. Will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. CAMPBELL of Kansas. I want to ask the gentleman a question about rental property. As I understand, that is the matter to be covered by this bill. Injustice no doubt is done, as stated many times on the floor. The wife of an Army officer brings this case to my attention. She rented the property two years ago at so much per month. She has changed tenants in two years, and had a profit of \$150, with expenses amounting to some \$1,700. She will be unable to rent that property for more than 10 per cent above what she has been getting in the last two years. She is not a profiteer. It may be that the person who owns the lease on her property is renting rooms for large sums and might be called a profiteer, but the property owner is not getting enough to pay the interest and taxes above the expenses on the property.

Mr. WOOD of Indiana. That shows the impossibility of this bill doing justice.

The SPEAKER. The time of the gentleman has expired.

Mr. JOHNSON of Kentucky. Mr. Speaker, I yield to the gentleman from Indiana two minutes more; but at the same

time I wish to express the hope that there will be no disposition to extend the time beyond what I have, because I intend to move the previous question when my time expires.

Mr. DUPRÉ. Will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. DUPRÉ. Does the gentleman know of any Congressman that has more than \$100 to put in the bank?

Mr. WOOD of Indiana. Not many, under present Washington prices. The very fact stated by the gentleman from Kansas suggests the practice that is prevailing. There are cases where people have leased an apartment consisting of six or seven rooms and have sublet one room for more money than they are paying for the entire apartment. There are examples where a husband and wife have an apartment of five or six rooms rented before the war commenced at \$45 a month, and they are now letting those rooms for more than enough to keep them at a fashionable hotel. Therefore, I say, there is a crying necessity, if we are to do for these people that are coming here at the behest of the Government, through invitation extended by the public press in almost every county in the United States, to take some steps to see that they will not be held up by these sharks. Something ought to be done whereby the good people of this city can be roused to a sense of the duty they owe not only to themselves but to the city and Nation, and it occurs to me that the Congress of the United States will be lax in its duty unless some measure is passed that will not only right the wrongs that are being done by the real estate owners but right the wrongs that are done and will continue to be done to the army of young men and women coming in here at the invitation of the Government.

Mr. JOHNSON of Kentucky. I yield five minutes to the gentleman from New York [Mr. LONDON].

Mr. LONDON. Mr. Chairman, this resolution is a miserable attempt to make the world believe that profiteering is about to be curbed in the District of Columbia. The superior right of the people to the land has never been disputed by the most conservative lawyer. The textbooks on real estate lay down the principle that as far as title to the land is concerned that the people collectively, and the State, as the representative of the people, have the absolute and superior title. I understand that a committee of New York women contemplate coming to Washington to see the President to ask him to adopt some measure, or propose some measure, to protect them against exploitation by landlords. Whatever differences of opinion there may be about the right of the State to exercise control of property in the interest of the common weal, there should be no doubt as to the right of the people to exercise supreme authority wherever land is involved, wherever real estate is involved.

This resolution provides that the terms of present leases shall continue. It sanctifies every act of extortion committed by the landlords of this city against tenants. It rewards every effort made by owners, lessees, sublessees, and subsublessees to increase rents. It will to an extent prevent further increases of rent in this city in those cases only where there are leases now, but it provides no relief to the new tenant, and leaves the landlord here in full enjoyment of the extortionate rents exacted by now existing leases.

War is a mighty radical proposition. When we deal with war the strange thing about it is that the very same legislative body that has taken the most radical step that a nation can take, a step from peace into war, that the very same reject as too radical the necessary reconstruction steps essential to put things on a proper basis.

There is no solution of the evil short of the radical solution, and that is control of rent by the people collectively. There is no other way to save the people from exploitation. The absurdity of unrestricted private greed in the ownership of land is evident here. It is evident in the city of New York with its tenement houses.

Some absentee landlord who does not even live in New York exploits the families of the boys who are giving their lives to the country. What a misfortune, what a calamity, that men refuse to think along new lines. There is no way out except the public control of land. The land belongs to the people collectively. In this supreme crisis of the world the people should assert themselves and should say to the owners of the territory, "Thus far shalt thou go and no farther. We shall not permit you to exploit the people." The mere fact that we have inherited a law respecting private property from old times does not mean that we shall refuse to adapt our laws and institutions to the imperative needs of the day, and the unmistakable command of the hour is that the very same State, the very same Government, which calls upon the citizen to give his life should exercise its public power over private property,

and particularly private property in land, for the public good. The landlords have not created the land. The profiteers have not made it. It is and should be the heritage of all. It should never be permitted to be used by one group as a means of oppression of the rest. As a first step, the Government must fix a limit to rent charges.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. JOHNSON of Kentucky. Mr. Speaker, repeating the thought of the gentleman from New York [Mr. LONDON], who has just spoken, in my judgment this resolution says to perhaps some thousands of profiteers, "Thus far shalt thou go, but no farther." I am fully conscious of the fact that many exceptions to the general rule laid down in this resolution can be found where injury may be worked, but, as I just said, there are at least a hundred instances where good may come out of it for every one where harm may come from it. If the criticism which has just been advanced toward this resolution should be extended to the tax laws of the country, there would be no tax laws anywhere in the United States. A tax law that does not work injustice somewhere has never been invented by man, and never will be. I believe that this resolution is the best that can be gotten out of the situation for the present. Just exactly four months ago to-day I introduced a bill to curb profiteering, but the profiteers and their allies have found a way to postpone it from day to day until they hope that Congress will adjourn and leave the tenants without remedy, leave them open to profiteering without any sort of protection, not only a part of them but all of them.

Mr. LONDON. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Kentucky. Yes.

Mr. LONDON. Has the gentleman much hope that his bill will be taken up seriously by the Senate?

Mr. JOHNSON of Kentucky. I not only entertain much hope but I feel confident that a majority of the Senate intends to see to it that a proper antiprofitteering law is passed before this Congress has adjourned.

Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

On motion of Mr. JOHNSON of Kentucky, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

LEAVE OF ABSENCE.

Mr. DUPRÉ. Mr. Speaker, I ask indefinite leave of absence for my colleague, Mr. ESTOPINAL, on account of illness.

The SPEAKER. The gentleman from Louisiana asks indefinite leave of absence for his colleague, Gen. ESTOPINAL. Is there objection?

There was no objection.

NAVAL APPROPRIATION BILL.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 10854, the Naval appropriation bill, disagree to all of the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to take from the Speaker's table the Naval appropriation bill, disagree to all of the Senate amendments, and agree to the conference asked by the Senate. Is there objection?

Mr. SNELL. Mr. Speaker, reserving the right to object, I would like to get a little information. I notice on page 54 there is an amendment providing \$9,150,000 for a new nitrate plant. I think the House should have some information in regard to that amendment.

Mr. PADGETT. Mr. Speaker, I want to say to the gentleman that I am not advised of it myself, but in the preliminary conference with the Members who will compose the conference committee we decided to investigate that and be able to give the House facts, if we should report it, or if we should decline to agree to it, the reasons why we declined.

Mr. SNELL. Was there any application made before the House Naval Committee for this appropriation?

Mr. PADGETT. There was not.

Mr. SNELL. And the gentleman has no information in respect to this?

Mr. PADGETT. No; and I understand there were no hearings before the Senate committee that are printed.

Mr. SNELL. I have sent for them, and I could not get them.

Mr. PADGETT. The conferees on the part of the House propose to investigate the matter and be prepared to give the House full information.

Mr. SNELL. Does the gentleman not think that should come back and that there should be a vote upon it in the House—as large a proposition as that?

Mr. PADGETT. I have no objection to it. If it becomes necessary to do it, or if anyone desires it, we will give the House full information on the matter.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent to speak for five minutes, under the reservation of objection.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to speak for five minutes. Is there objection?

There was no objection.

Mr. STAFFORD. Mr. Speaker, never before to my knowledge has an appropriation bill been returned to the House with so many amendments of such diverse character as this bill, carrying 170 different amendments. They range from private claims to amendment of the patent laws, to a change in organization in the Dental Corps, increase of line officers, provision for a nitrate plant, just referred to, involving \$9,000,000, millions of dollars of appropriations for additional land to naval stations, which, in my opinion, are not necessary; provisions for the Government to go into the promoting business for establishing railroads; provisions for all kind and manner of activities, many of which are foreign to the work of the Navy Department. We have included in this bill a provision reorganizing the Coast Guard Service for the special purpose of providing an increase in salary during the period of the war of the present officers of that service. We have also an amendment, No. 101, providing for improvements of the quay and power house at Newport, involving an expenditure of \$800,000, and an amendment following that, No. 120, for the reorganization, as I said, of the Coast Guard Service. Then there is an amendment also providing for the purchase of a large quantity of land at Key West, Fla., for an aviation field. Many of these sections never have received any consideration on the part of the House at all.

We desire, and it is the one sentiment of this House, that every dollar, even though it runs into the billions, that is necessary for the welfare of our Government and naval equipment in our present crisis should be voted, but we should not launch at this time in the purchase of real estate or any activity which is not needed because of the pressing condition of our war finances, and yet in another body Senators annex amendments which involve, in my opinion, wasteful extravagance, amendments which have never been considered in any committee of their body or any committee of this body. It would be of no avail to keep this bill from being sent to conference, because it would have to come back here, and I know that many of the amendments in the Committee of the Whole would be disagreed to, just as the gentleman plans to disagree to in his request now pending, but I think that before this bill should be agreed to in conference we should have separate votes on amendment numbered 93, which relates to the building of a submarine base at Key West, Fla., involving an appropriation of two and a half million; amendment numbered 100, providing for an appropriation of several hundred thousand dollars to build a railroad with Government aid; amendment numbered 101, providing for land at the torpedo station at Newport, R. I.; and amendment numbered 120, providing for increased salaries and reorganization of the Coast Guard Service; so I ask the gentleman, under the reservation of the right to object, whether he will not be willing to bring these respective amendments back to the House before agreement is had on them in conference?

Mr. PADGETT. Mr. Speaker, I will say to the gentleman I am practically as much at a loss about this matter as the gentleman himself. As I said before, it is our purpose to inquire very fully into all of these matters and be able to state to the House full information with reference either as to the merits or the demerits of the propositions. I am not prepared to do so now, because many of them we did not consider; they were not submitted to us, and I understand they have arisen since the House committee considered them, but they involve large expenditures, and it is the purpose of the House conferees before they go into conference to have an investigation upon their own responsibility to ascertain, as far as they can, the merits or demerits of these respective propositions.

Mr. STAFFORD. I submit my original request, whether the gentleman is not willing to have a separate vote upon amendments numbered 90, 100, 101, and 120 before any agreement is had upon them in conference?

Mr. WALSH. Before the gentleman answers the question, will the gentleman yield for a further inquiry?

Mr. PADGETT. Yes, sir.

Mr. WALSH. Is it not a fact that the Naval Affairs Committee have considered the matter of the promotion of the Coast Guard, holding hearings upon the matter, and have reported out a bill?

Mr. PADGETT. Yes, sir; and the bill is on the calendar.

Mr. BUTLER. It is not this bill.

Mr. WALSH. It is a similar bill in its provisions.

Mr. PADGETT. Many of the provisions are the same.

Mr. SHERLEY. If the gentleman will yield, is not that a reason why we ought not to carry in an appropriation bill an increase for that corps? Is not the very fact there is legislation pending where the matter would be subject to real consideration and amendment, paragraph by paragraph, a reason why the gentleman ought not to carry in an appropriation bill a general provision of pay?

Mr. PADGETT. Well, that is not general; that is a temporary provision during the war with reference to the Coast Guard acting with the Navy during war conditions. If the House desires a vote upon it, of course we will report it back without agreement, and the House will have an opportunity to consider.

Mr. STAFFORD. I wish also to include in the request amendment numbered 75, relating to the nitrate plant.

Mr. KEATING. Mr. Speaker, reserving the right to object, I want to call the attention of the chairman to amendment numbered 170, which affects a portion of the so-called "stop-watch" limitation. That is a limitation which has been passed upon by this House on some five or six occasions, and I think that we have had perhaps that number of roll calls. I would like to have assurance from the chairman that before yielding on a matter on which the House has expressed itself in such a definite fashion we will have an opportunity to pass upon it in the House.

Mr. PADGETT. I will say to the gentleman it was my purpose to let the House pass upon that proposition for the simple reason that the House and the Senate a number of times have voted upon that question.

Mr. KEATING. Now, may I call his attention to amendments numbered 37 and 47, which would give to the Commandant of the Marine Corps the rank of lieutenant general and to three heads of bureaus of that corps the rank of major general. That matter was brought before the House when the naval bill was up and an amendment offered, as I recall, by the chairman and withdrawn when objection was made. The proposition, as I understand it—

Mr. PADGETT. Only one of those—the question of the lieutenant general—was not before the House.

Mr. KEATING. Yes; the question of lieutenant general was not before the House, but this question of giving the rank of major general to three members of the staff of the Marine Corps was discussed before the House and the amendment was withdrawn. I do not desire to go into a discussion of that matter at this time. I have a very great admiration for the Marine Corps, but I would like to see the promotions go to the men in the Marine Corps who fight, instead of granting promotions to men who remain here in Washington, some of whom have never been under fire.

Mr. MONDELL. And never will be.

Mr. KEATING. And under those circumstances I think that for the good name of the Marine Corps, as well as for the satisfaction of the House, we should have a chance to discuss this matter before the committee yield to the amendment.

Mr. MONDELL. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. MONDELL. In view of the very great number and very great importance of the Senate amendments would it not be well to have the Committee on Naval Affairs take the bill into that committee and consider it carefully before the full committee?

Mr. PADGETT. I do not know of anything to be gained by that, sir. It is the purpose of the conferees to have hearings and investigation.

Mr. MONDELL. It is a pretty large responsibility to place on a few men, distinguished as they are, and informed as they are, and as wise as they are, to determine about \$9,000,000 nitrate plants that we have never heard of; to decide whether or no we are going to win this war with admirals and generals and other officers of high rank and pay; to determine whether or no we are going to make these enormous appropriations that were not suggested at the time the bill was before the House. That is rather a considerable responsibility, and it occurs to me that the gentlemen who would be on the conference committee would prefer to share their responsibility with their colleagues of the committee.

Mr. PADGETT. The usual course has been that if a bill is referred to the committee the committee reports it back with a general recommendation that the amendments be disagreed to and go to conference. But the committee would not take specific action as to what should be done and what should not be done in a mandatory way, because they would have to confer with the Senate.

Mr. MONDELL. The gentlemen who are to be members of the conference committee would have the benefit of the opinion of their colleagues who are familiar with these subjects, and they would be armed with the information and advice that could be obtained in a committee meeting.

Mr. PADGETT. The conferees on the naval bill heretofore have availed themselves of the opportunity to confer with their members from time to time.

Mr. MONDELL. Are there any considerable number of important items in this bill that are made available before the beginning of the present fiscal year?

Mr. PADGETT. Every one of them is, by one provision that the House passed and the Senate passed, and that is not in conference.

But it provides it is not good for deficiencies. It only made everything available immediately, but it will be practically the first of the year before the bill will be signed.

Mr. MONDELL. That is not tremendously important.

Mr. PADGETT. That is not in conference anyway, because both bodies have passed it.

Mr. MONDELL. What I had in mind was this, namely, assuming it took a little more time if the bill went to the committee, and it would not necessarily take any more time than to have it go to conference now, but assuming it would take a day or two longer, that would not in any way embarrass or hamper the naval authorities, and at the same time the gentlemen who would be on the conference committee would have the benefit of the advice and counsel of all the members of the committee on these very important matters. If they were ordinary increases, providing for plans and purposes which the committee had in mind when the bill was considered, and which the House considered at the time, it would be one thing, but many of them are quite radical. A number are entirely new propositions.

Mr. PADGETT. There are not many new ones. The great proportion of money is simply for additions to the amounts which the committee had recommended and which the House had passed.

Mr. MONDELL. Well, the question of adding a very large number of permanent officers of very high grade to certain organizations is one that the House has never passed favorably upon or discussed at all, and it occurs to me that the gentleman and his fellow conferees would be glad to have the advice of the members of the committee on that important subject, as well as on the subject of new manufacturing plants.

Mr. PADGETT. I think I may say upon that question of the proposed increase that it involves the addition of large numbers of permanent officers, and the conferees on the part of the House are in accord with what I understand to be the views of the gentleman in his comments.

Mr. MONDELL. I am glad to know that, and I assumed that that was the case, but I am anxious to strengthen the hands of the gentlemen of the committee in carrying out their determination in that matter.

Mr. PADGETT. I do not know that that would add to the strength of it.

Mr. BUTLER. Will the gentleman yield?

The SPEAKER. Will the gentleman yield to his colleague?

Mr. MONDELL. One more question, if I may. Do I understand it was the intention of the conferees to have hearings on these subjects and go into them more as it would be done if the bill went to the committee?

Mr. PADGETT. That is our purpose, sir.

Mr. MONDELL. I do not want to embarrass the conferees, but if that is to be done, why not do it before the full committee. I am rather inclined to defer to the opinion of the gentleman from Pennsylvania [Mr. BUTLER], the ranking Republican member of the committee, in that matter.

Mr. BUTLER. Mr. Speaker, will the gentleman from Tennessee, the chairman of the committee, yield me a minute or two?

Mr. PADGETT. Yes, sir.

Mr. BUTLER. Now, if I can have the attention of the gentleman from Wyoming [Mr. MONDELL], I will say that I think he may have learned from the chairman of the Naval Affairs Committee what his purpose is concerning these amendments—the important ones—that have already been talked about here this morning. But let me, in the presence of the gentleman, ask the chairman of the Committee on Naval Affairs whether it is not his purpose to have brought back here in this House, that the views of the House may be first received before the conferees agree to them, to the amendments Nos. 37 and 47, the ones referred to by the gentleman from Colorado [Mr. KEATING]? There is also here—

Mr. MONDELL. That is, unless the Senate recedes.

Mr. BUTLER. Oh, yes; but the conferees—

Mr. PADGETT. We might agree on one line and disagree on another.

Mr. MADDEN. I would like to ask the gentleman a question, if I may?

Mr. BUTLER. In a moment. That I may make myself plain, may I ask before the conferees agree to the two amendments referred to by the gentleman from Colorado [Mr. KEATING], and before the conferees agree to the Senate amendment increasing the permanent Navy, as proposed by the Senate, in all of these amendments, whether or not the House shall have the opportunity of voting?

Mr. PADGETT. Unless the Senate should recede.

Mr. BUTLER. I understand. But "before we agree," was the question. I understand the views of the chairman of the Committee on Naval Affairs; but inasmuch as many gentlemen are interested and are asking many questions, I put it in this way, whether or not the House shall have an opportunity to express itself on such amendments?

Mr. PADGETT. Unless the Senate receded, that would be brought back to the House.

Mr. LONGWORTH. Will the gentleman add to his suggestion the amendment in regard to the nitrate plant?

Mr. MADDEN. I would like to ask the gentleman how he can hold hearings on these subjects in the conference unless the Senate conferees agree to hold hearings?

Mr. PADGETT. We just simply hold them ourselves before we go into conference with the Senate.

Mr. MADDEN. The conferees would not hold hearings?

Mr. PADGETT. Yes, sir.

Mr. MADDEN. Can the gentleman speak for the conferees of both Houses?

Mr. PADGETT. Not for the conferees of the Senate. The House conferees propose to hold their own hearings.

Mr. MADDEN. It seems to me that would not do any good. What we ought to do would be to have hearings held by the conference.

Mr. PADGETT. The conferees would hold their hearings for their own information and for their guidance, and secure information upon which they would base their action, and report to the House.

Mr. BUTLER. And those hearings will be printed, may I ask the chairman?

Mr. PADGETT. They will.

Mr. BUTLER. So that the gentleman will have a chance to see them.

Mr. DYER. Mr. Speaker, will the gentleman yield?

Mr. PADGETT. Yes.

Mr. DYER. I wish to ask a question in regard to amendment 23. That is an amendment providing for the reorganization of the Dental Corps of the Navy. This has substantially the same effect on the Dental Corps of the Navy as the legislation already enacted for the Dental Corps of the Army?

Mr. PADGETT. I am not informed as to the status with reference to the Army. I do not know of any legislation that has been enacted, but it is legislation that is desired.

Mr. DYER. I will say to the gentleman that we enacted legislation at the last session of this Congress with reference to the reorganization of the Dental Corps of the Army that put the Dental Corps on the same plane in every respect as the Medical Corps of the Army, and I hope this amendment will be agreed to.

Mr. PADGETT. I will say to the gentleman that I advocate and always have advocated that the two services should be kept upon a parity. One thing, however, has been noticeable, and I have combated it at different times, and that is that the two services have been played against each other. They will get an amendment or legislation for one service that makes them a little better than the other. Then the other comes and seeks to get legislation to put them, as they say, on the same basis, and goes a little higher. Then the other comes back and repeats the process. I have combated that from time to time, and have insisted that they should be on an equality and a parity.

Mr. DYER. What the gentleman refers to is the Dental Corps of the Army and the Dental Corps of the Navy, I take it?

Mr. PADGETT. I do not know whether this proposed legislation puts them upon an equality or not. I have this information, however, or I have been told, that the Navy Department prepared a bill and submitted it which did put them upon a parity, and this legislation as proposed in this amendment to the Naval bill increased very largely the proposals submitted by the Navy Department, which, they said, puts the two services on a parity.

Mr. STAFFORD. I want that amendment included also in my request.

Mr. DYER. I just wanted to get the gentleman's views, he being chairman of the Committee on Naval Affairs, with reference to this amendment. It is an amendment which is recommended by the Navy Department.

Mr. PADGETT. No; that amendment is not recommended by the Navy Department.

Mr. DYER. In substance?

Mr. PADGETT. Not in substance. They have recommended a part of it.

Mr. DYER. I introduced a bill in the House and Senator TILLMAN introduced a bill in the Senate and it is, in effect, the same as this amendment.

Mr. PADGETT. No; there is a very material and substantial difference between them.

Mr. DYER. In what respect?

Mr. PADGETT. It is not necessary to discuss it now. I had a conference with the Secretary of the Navy this morning, and he called my attention to it and said that he did not approve of the legislation that is proposed in this bill, but that he had sent down a bill, which had been introduced by Senator TILLMAN, which embodied the recommendations of the Navy Department, and I believe I have a memorandum of it. That is Senate bill 3049.

Mr. DYER. That is the one I mentioned.

Mr. PADGETT. That is very different from the legislation proposed in this amendment.

Mr. DYER. I trust that out of this situation—this amendment and the bill referred to—there will be something enacted that will be for the benefit of the Dental Corps, because they are doing great work.

Mr. Speaker, Senate amendment No. 23, having to do with the Dental Corps of the Navy, is a splendid amendment, and I hope it will be agreed to by the conferees. It ought, in substance, to be enacted into law. It is similar to the bill (H. R. 10724) that I introduced on March 14 last.

The Dental Corps of the Navy and the Dental Corps of the Army have not till very lately received much consideration from the Congress. Last session we passed a bill that has done much for the Army as regards the Dental Corps. This amendment, if agreed to, will help the Dental Corps of the Navy. There ought to be one dental officer in the Army and one in the Navy for each 500 instead of, as now, one for each 1,000.

I think this matter of great importance and that it concerns our country specially at this time. That the Members of Congress and others interested may have the fullest knowledge possible for me to give them, I include here the amendment No. 23 referred to, and also the bill (H. R. 10724) that I introduced some time ago. They are as follows.

Senate amendment No. 23 to naval appropriation bill.

That the act approved August 29, 1916, entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1917, and for other purposes" (Stat. L., vol. 39, ch. 417, pp. 573, 574), be, and the same is hereby, amended by striking out all of said act following the caption "Naval Dental Corps," on page 573, but preceding the caption "Dental Reserve Corps," on page 574, and by substituting therefor the following:

"That the President of the United States is hereby authorized to appoint and commission, by and with the advice and consent of the Senate, dental officers in the Navy at the rate of 1 for each 1,000 of the total authorized number of officers and enlisted men of the Navy and Marine Corps, in the grades of assistant dental surgeon, passed assistant dental surgeon, dental surgeon, and dental inspector, who shall constitute the Naval Dental Corps, and shall be a part of the Medical Department of the Navy. Original appointments to the Naval Dental Corps shall be made in the grade of assistant dental surgeon with the rank of lieutenant (junior grade), and all dental officers now in the Dental Corps appointed under the provisions of the act of Congress approved August 22, 1912 (Stat. L., vol. 37, p. 345), or under the provisions of the act of Congress approved August 29, 1916 (Stat. L., vol. 39, p. 573), or who may hereafter be appointed, shall take rank and precedence with officers of the Naval Medical Corps of the same rank according to the dates of their original appointments, and all such dental officers shall be eligible for advancement in grade and rank in the same manner and under the same conditions as officers of the Naval Medical Corps with or next after whom they take precedence, and shall receive the same pay and allowances as officers of corresponding rank and length of service in the Naval Medical Corps up to and including the rank of commander: *Provided*, That dental surgeons shall be eligible for advancement in pay and allowances, but not in rank, to and including the pay and allowances of captain, subject to such examinations as the Secretary of the Navy may prescribe, except that the number of dental inspectors with the pay and allowances of captain shall not exceed 4½ per cent, and the number of dental inspectors with the rank, pay, and allowances of commander shall not exceed 8 per cent of the total authorized number of dental officers: *Provided further*, That dental officers shall be eligible for advancement to the pay and allowances of captain when their total active service as dental officers in the Navy is such that if rendered as officers of the Naval Medical Corps it would place them in the list of medical officers with the pay and allowances of captain: *And provided further*, That dental officers who shall have gained or lost numbers on the Navy list shall be considered to have gained or lost service accordingly; and the time served by dental officers on active duty as acting assistant dental surgeons and assistant dental surgeons under provisions of law existing prior to the passage of this act shall be reckoned in computing the increased service pay and service for promotion of dental officers herein or heretofore authorized.

"All appointees authorized by this act shall be citizens of the United States between 21 and 32 years of age, and shall be graduates of standard medical or dental colleges and trained in the several branches of dentistry, and shall, before appointment, have successfully passed mental, moral, physical, and professional examinations before medical and professional examining boards appointed by the Secretary of the Navy, and have been recommended for appointment by such boards: *Provided*, That hereafter no person shall be appointed as assistant surgeon in the Navy who is not a graduate of a standard medical college.

"Officers of the Naval Dental Corps shall become eligible for retirement in the same manner and under the same conditions as now prescribed by law for officers of the Naval Medical Corps, except that section 1445 of the Revised Statutes of the United States shall not be applicable to dental officers, and they shall not be entitled to rank above commander on the retired list, or to retired pay above that of captain.

"All dental officers now serving under probationary appointments shall become immediately eligible for permanent appointment under the provisions of this act, subject to the examinations prescribed by the Secretary of the Navy for original appointment as dental surgeon, and may be appointed assistant dental surgeon with the rank of lieutenant (junior grade) to rank from the date of their probationary appointments: *Provided*, That the senior dental officer now at the United States Naval Academy shall not be displaced by the provisions of this act, and he shall hereafter have the grade of dental surgeon and the rank, pay, and allowances of lieutenant commander, and he shall not be eligible for retirement before he has reached the age of 70 years, except for physical disability incurred in the line of duty: *Provided further*, That no dental officer in the Navy who on original appointment as dental officer was over 40 years of age shall be eligible for retirement before he has reached the age of 70 years, except for physical disability incurred in line of duty.

"All acts or parts of acts inconsistent with the provisions of this act relating to the Dental Corps of the Navy are hereby repealed: *Provided*, That nothing herein contained shall be construed to legislate out of the service any officer now in the Medical Department of the Navy or to reduce the rank, pay, or allowances now authorized by law for any officer of the Navy."

All appointments or promotions provided for in this amendment shall be by and with the advice and consent of the Senate.

The bill H. R. 10724, introduced by Mr. DYER March 14, 1918:

A bill (H. R. 10724) to reorganize the Dental Corps of the Navy, and for other purposes.

Be it enacted, etc., That the act approved August 29, 1916, entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1917, and for other purposes" (Stat. L., vol. 39, ch. 417, pp. 573, 574), be, and the same is hereby, amended by striking out all of said act following the caption "Naval Dental Corps," on page 573, but preceding the caption "Dental Reserve Corps," on page 574, and by substituting therefor the following:

"That the President of the United States is hereby authorized to appoint and commission, by and with the advice and consent of the Senate, dental officers in the Navy at the rate of one for each thousand of the total authorized number of officers and enlisted men of the Navy and Marine Corps, in the grades of assistant dental surgeon, passed assistant dental surgeon, and dental surgeon, who shall constitute the Naval Dental Corps, and shall be a part of the Medical Department of the Navy. Original appointments to the Naval Dental Corps shall be made in the grade of assistant dental surgeon with the rank of lieutenant (junior grade), and all dental officers now in the Dental Corps, appointed under the provisions of the act of Congress approved August 29, 1916 (Stat. L., vol. 39, p. 573), or who may hereafter be appointed, shall take rank and precedence with officers of the Naval Medical Corps of the same rank according to the dates of their respective commissions, and dental officers shall be eligible for advancement in grade and rank in the same manner and under the same conditions as officers of the Naval Medical Corps with or next after whom they take precedence, and shall receive the same pay and allowances as officers of corresponding rank and length of service in the Naval Medical Corps up to and including the rank of lieutenant commander: *Provided*, That dental surgeons shall be eligible for advancement in pay and allowances, but not in rank, to and including the pay and allowances of captain, subject to such examinations as the Secretary of the Navy may prescribe, except that the number of dental surgeons with the pay and allowances of captain shall not exceed 4½ per cent and the number of dental surgeons with the pay and allowances of commander shall not exceed 8 per cent of the total authorized number of dental officers: *Provided further*, That dental surgeons shall be eligible for advancement to the pay and allowances of commander and captain when their total active service as dental officers in the Navy is such that if rendered as officers of the Naval Medical Corps it would place them in the list of medical officers with the rank, pay, and allowances of commander or captain, as the case may be: *And provided further*, That dental officers who shall have gained or lost numbers on the Navy list shall be considered to have gained or lost service accordingly; and the time served by dental officers on active duty as acting assistant dental surgeons and assistant dental surgeons under provisions of law existing prior to the passage of this act shall be reckoned in computing the increased service pay and service for promotion of dental officers herein authorized or heretofore appointed.

"All appointees authorized by this act shall be citizens of the United States between 21 and 32 years of age, and shall be graduates of standard medical or dental colleges and trained in the several branches of dentistry, and shall, before appointment, have successfully passed mental, moral, physical, and professional examinations before medical and professional examining boards appointed by the Secretary of the Navy, and have been recommended for appointment by such boards: *Provided*, That hereafter no person shall be appointed as assistant surgeon in the Navy who is not a graduate of a standard medical college.

"Officers of the Naval Dental Corps shall become eligible for retirement in the same manner and under the same conditions as now prescribed by law for officers of the Naval Medical Corps, except that section 1445 of the Revised Statutes of the United States shall not be applicable to dental officers, and they shall not be entitled to rank above lieutenant commander on the retired list, or to retired pay above that of captain.

"All dental officers now serving under probationary appointments shall become immediately eligible for permanent appointment under the provisions of this act, subject to the examinations prescribed by the Secretary of the Navy for original appointment as dental surgeon, and

may be appointed assistant dental surgeon with the rank of lieutenant (junior grade) to rank from date of their probationary appointments: *Provided*, That the senior dental officer now at the United States Naval Academy shall not be displaced by the provisions of this act, and he shall hereafter have the grade of passed assistant dental surgeon and the rank, pay, and allowances of lieutenant, and he shall not be eligible for retirement before he has reached the age of 70 years, except for physical disability incurred in the line of duty: *Provided further*, That no dental officer in the Navy who on original appointment as dental officer was over 40 years of age shall be eligible for retirement before he has reached the age of 70 years, except for physical disability incurred in line of duty.

"All acts or parts of acts inconsistent with the provisions of this act are hereby repealed: *Provided*, That nothing herein shall be construed to reduce the rank, pay, or allowances now authorized by law for any officer of the Navy."

Mr. PADGETT. I have stated to the gentleman that my purpose and idea was at all times to keep the two services on a parity, but I am opposed to seasawing one above the other.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. PADGETT. Yes, sir.

Mr. CANNON. It takes unanimous consent, for the reason that a single objection would send this to the committee?

Mr. PADGETT. Yes.

Mr. CANNON. The gentleman has told the House that the conferees on the part of the House would investigate touching these new items?

Mr. PADGETT. Yes; not only those, but others, very thoroughly. There are a number of them that I have no information or knowledge about.

Mr. CANNON. If they were investigated the House would pass, under the five-minute rule, upon the merits of the proposition.

Now, then, so far as I am concerned, I want to say that if we are to stay here all summer there is plenty of time to let this bill take the ordinary course under the rules of the House, reserving all the privileges of the House to pass upon the Senate amendments. If we are to have a revenue bill, I think that would be the proper course. I do not know whether we are or not. I think we could expedite the passage of this bill very greatly by complying with the gentleman's request, but perhaps with less intelligence as to the Senate amendments, considering the temper of the House. I am "up in the air." Yesterday morning I was stepping high and thought we might get through and get away from here before the dog days. I was pessimistic about it last night, and now I am in doubt. Has the gentleman any information that would remove the doubt?

Mr. PADGETT. No, sir; I have no information. The only suggestion I could make is that the sooner we dispose of this bill and get it enacted into law, the sooner we will get that much out of the way.

Mr. CANNON. Well, I come out at the same hole that I went in at. [Laughter.]

Mr. BUTLER. Mr. Speaker, will the gentleman yield?

Mr. PADGETT. Yes.

Mr. BUTLER. It will be useful to the military service, will it not, by way of obtaining enlistments for both the Navy and Marine Corps, to put this bill through as quickly as we can, without, of course, taking advantage of the House?

Mr. PADGETT. Yes. I will say to the gentleman that I think the bill ought to be put through as quickly as we can do it, but at the same time I do not want to be hurried to do things that I do not know about. For that reason I want to investigate these matters.

Mr. WALSH. Reserving the right to object, permit me to direct the attention of the gentleman from Pennsylvania [Mr. BUTLER] to the fact that the House expedited the passage of this bill when it was before it by dispensing with general debate and by limiting the debate under the five-minute rule to the items of the bill, and we did not delay it. Now it comes back with a lot of new provisions which were not considered in the House or in the committee, and the colloquy that has taken place here this morning seems to me to demonstrate that, whether we expedite the passage of the bill or not, the House would be in a position more intelligently to consider it if we were to send it to the Committee on Naval Affairs. It will not delay it more than a couple of days, and I think that is the proper course to pursue.

The SPEAKER. The gentleman from Massachusetts objects.

ADDITIONAL URGENT DEFICIENCY APPROPRIATIONS.

Mr. SHERLEY, from the Committee on Appropriations, reported the bill (H. R. 12280) making appropriations to supply additional urgent deficiencies in appropriations for the fiscal year ending June 30, 1918, on account of war expenses, and for other purposes, which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report (No. 605), ordered to be printed.

Mr. GILLETT. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. The gentleman from Massachusetts reserves all points of order.

Mr. BUTLER. Will the gentleman from Kentucky state how much this bill carries?

Mr. SHERLEY. One hundred and twenty-three million dollars.

NAVAL APPROPRIATIONS.

Mr. PADGETT. Mr. Speaker, I renew the request I made before with reference to the naval appropriation bill—to disagree to all the Senate amendments and agree to the conference asked by the Senate.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to disagree to all the Senate amendments to the naval appropriation bill and to agree to the conference asked by the Senate.

Mr. PADGETT. I want to state again what I stated a while ago—that it is our purpose to investigate these matters fully and clearly, to have everything in printed form for the benefit of the Members of the House, and with the reservations that were made in the discussion here I have no disposition to run anything over the House. There are many things here that I am as anxious to know about as any man in the House can be.

Mr. WALSH. Mr. Speaker, reserving the right to object, in view of the statement made by the distinguished chairman of the Committee on Naval Affairs, I want to ask him if, when they come to consider these numerous amendments, relating to propositions about which they may have some doubt themselves, and which are not included in the amendments that have been brought to our attention heretofore, he and his fellow conferees will feel at liberty to refer them to the House without a specific request? I have in mind one or two matters that I think the conferees may have some difficulty in agreeing upon.

Mr. PADGETT. I will say to the gentleman that unless I am clearly satisfied of the correctness and rightfulness and propriety of agreeing to any amendment we will disagree and submit it to the House.

Mr. BUTLER. And if the chairman of the committee should find among the House conferees a decided difference, would he be willing to submit the question to the House?

Mr. PADGETT. Certainly. We have always pursued that course.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection; and the Speaker announced as conferees on the part of the House Mr. PADGETT, Mr. TALBOTT, Mr. RIORDAN, Mr. BUTLER, and Mr. BROWNING.

ILLINOIS CENTENNIAL 50-CENT PIECES.

Mr. HAYDEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 8764) to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary of the admission of the State of Illinois into the Union, which has come back with a Senate amendment, and to concur in the Senate amendment.

The SPEAKER. The gentleman from Arizona asks unanimous consent to take from the Speaker's table House bill 8764, with a Senate amendment. Is there objection?

There was no objection.

The Senate amendment was reported, as follows:

On page 1, line 14, strike out the word "minor" and insert the words "subsidiary silver."

The Senate amendment was agreed to.

The SPEAKER. It seems to the Chair that the title of that bill should be amended.

Mr. HAYDEN. I think not, Mr. Speaker.

The SPEAKER. All right then.

LEAVE TO EXTEND REMARKS.

Mr. DYER. Mr. Speaker, I ask unanimous consent to submit some remarks on amendment 23 to the naval appropriation bill.

The SPEAKER. Does the gentleman desire to submit them now?

Mr. DYER. No; to extend my remarks in the RECORD.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks in the RECORD on amendment 23 to the naval appropriation bill. Is there objection?

There was no objection.

Mr. LONDON. Mr. Speaker, I ask unanimous consent to revise and extend the remarks which I made this morning.

The SPEAKER. The gentleman asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

MINING ON THE PUBLIC DOMAIN.

Mr. FERRIS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of Senate bill 2812.

Mr. WALSH. I do not think that motion is necessary. The bill is the special order.

The SPEAKER. This bill has the right of way, but the language of the order was not like that which is contained in some orders—that the House shall automatically resolve itself into the Committee of the Whole House on the state of the Union. The Chair thinks the motion of the gentleman from Oklahoma is proper.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill S. 2812, to encourage and promote the mining of coal, phosphate, oil, gas, and sodium on the public domain, with Mr. DEWALT in the chair.

The Clerk, resuming the reading of the bill, read as follows:

SEC. 10. That upon establishing to the satisfaction of the Secretary of the Interior that valuable deposits of oil or gas have been discovered within the limits of the land embraced in any permit, the permittee shall be entitled to a lease for one-fourth of the land embraced in the prospecting permit, such area to be selected by the permittee in compact form and if surveyed, to be described by the legal subdivisions of the public-land surveys; if unsurveyed, to be surveyed by the Government at the expense of the applicant for lease in accordance with the laws, rules, and regulations governing the survey of public land, and the lands leased shall be conformed to and taken in accordance with the legal subdivisions of such surveys; deposits made to cover expense of surveys shall be deemed appropriated for that purpose and any excess deposits may be repaid to the person or persons making such deposit or their legal representatives. Such leases shall be for a term of 20 years with the right of renewal as prescribed in section 12 hereof upon a royalty of one-eighth in amount or value of the production and the annual payment in advance of a rental of \$1 per acre, the rental paid for any one year to be credited against the royalties as they accrue for that year. The permittee shall also be entitled to a preference right to a lease for the remainder of the land in the prospecting permit at such royalty, not less than one-eighth, as may be fixed by the Secretary of the Interior, for such periods and under such other conditions as are fixed for oil or gas leases in this act.

Mr. RAKER. Mr. Chairman, on page 37, in line 20, I move to strike out the words "or persons" and insert in lieu thereof the words "association or corporation," so as to conform with the first section of the bill.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. RAKER: Page 37, line 20, strike out the words "or persons" and insert in lieu thereof the words "association or corporation."

The amendment was agreed to.

Mr. ELSTON. Mr. Chairman, I move to strike out the last word. The chairman of the committee will notice that in section 9 there is no limitation as to the number of prospecting permits.

Mr. FERRIS. In what line?

Mr. ELSTON. In line 16. The language there grants to any applicant qualified under the act a prospecting permit. I have not noticed anything in the section relating to a limitation of the number of prospecting permits. It is true that on page 46 there is a limitation that not more than three leases in each State shall be issued. I would like to ask the chairman whether he thinks that language on page 46, line 20, is sufficient to make it clear that there may be granted by the Secretary of the Interior three prospecting permits at any one time in any one State.

Mr. FERRIS. I do not think the committee ever intended or agreed to that.

Mr. ELSTON. Oh, yes.

Mr. FERRIS. I do not think so as to permits.

Mr. ELSTON. How could you have three leases unless three permits had been granted?

Mr. FERRIS. You could have them on small tracts. Suppose the prospecting permit is issued and the prospector gets one quarter, and suppose they wanted to take two or three leases of the smaller area, even though they had but one permit, they could get them, because the leases are held down to a smaller area than the prospecting permits. We only provided for the leasing of oil for 640-acre tracts, but the prospecting permit can go as high as 2,560 acres and upward. Some domes in Wyoming only have 640 acres in the whole dome.

Mr. ELSTON. The lease would cover everything that the permittee put up to the Secretary of the Interior as being worth while to cover in a lease. It would only be one transaction.

Mr. FERRIS. The holder of a prospect permit only gets one quarter at a fixed royalty as a bonus or reward for discovery, but he has a preference right to taking the remaining

three-fourths, if he desires to do so, at a royalty which may be in excess of one-eighth, and it puts him into competition with others as to the remaining sections.

Mr. ELSTON. I would like to reserve the right to ask unanimous consent at the proper time to return to this section and discuss the question.

Mr. FERRIS. I would rather not leave it open, but if the gentleman finds—

Mr. ELSTON. The gentleman will remember that we grant five prospecting permits in reference to Alaska, and that I justified yesterday on the ground that we permitted three permits to each State.

Mr. FERRIS. I remember the gentleman referred to that.

Mr. LA FOLLETTE. Mr. Chairman, I think when the chairman of the committee reflects he will find he is in error. We granted five prospecting permits to Alaska, and we talked about it in committee that we should grant five prospecting permits to Alaska and that we granted only three in the States.

Mr. FERRIS. Suppose the gentleman prepares an amendment and we can take up the return to it later.

Mr. CRAMTON. Is it not possible that without any limitation placed there it will be held that there is no limit and that you are not restricted to any number?

Mr. FERRIS. The gentleman will recall that in the closing hours we made changes in the bill quite hurriedly, and if gentlemen will be good enough to draw their amendment we can consider going back to it later.

Mr. TAYLOR of Colorado. Mr. Chairman, on page 37, line 20, I move to strike out the word "may" and insert the word "shall." I feel that the Government ought to pay back the excess moneys that they require a man to advance. There is no reason why it should be left in that form.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 37, line 20, strike out the word "may" and insert the word "shall."

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was agreed to.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. I desire to ask the chairman of the committee if the amendments offered by the oil men as they were finally agreed upon are found in the confidential print of the bill I hold?

Mr. FERRIS. I think they are.

Mr. MONDELL. I have been unable to find these amendments as they were finally submitted unless they be in this confidential print.

Mr. FERRIS. I think they are in there. It may be that the oil men had one or two that the gentleman will not find there. What happened was this: The oil men came here and we gave them a long hearing and they presented a number of amendments. They presented them ably and were very much in earnest about them, and as chairman of the committee I had them printed as a part of the bill confidentially so that they would have full consideration. Some of them were agreed to in committee and many of them were not.

Mr. MONDELL. In the matter of this particular section, the amendments offered by the Colorado, California, and Wyoming oil men were agreed to in purpose, but not in substance. This rewritten section accomplishes vital changes in the character of this bill. It makes it, in fact, an oil-leasing bill, divorces it entirely from the character of a sale bill. That, in my opinion, is a very wise change, one that I have suggested heretofore on both occasions when the bill was before the committee as something that ought to be accomplished.

I want to make this suggestion, however, that in making the change from the granting of a freehold to that granting a lease at a fixed royalty the committee might well have given a lease for the entire area at a fixed royalty as the oil men asked.

The original bill gave a patent to one-quarter of the lands embraced in the prospecting permit, and as that was supposed to be a valuable grant the committee might very well in changing from a freehold to a lease have given at a fixed royalty a larger acreage than it gave under a patent. I trust in conference this will be done. I do think, however, that the last part of this section should be strengthened, unless it is certain to be construed by the department in a liberal way. It reads:

The permittee shall also be entitled to a preference right to a lease for the remainder of the land in the prospecting permit at such royalty, not less than one-eighth, as may be fixed by the Secretary of the Interior, for such periods and under such other conditions as are fixed for oil or gas leases in this act.

That is a pretty definite statement, and it certainly ought to indicate to the Secretary of the Interior the congressional opinion as to the wisdom of dealing liberally with these permittees. They are the people who will do the wildcatting in the oil busi-

ness. They will take all of the desperate chances. They will bring in all of the new territory, and they are entitled to have very liberal treatment. Under a fair construction of the section as it has been rewritten they will have liberal treatment.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. Mr. Chairman, I ask unanimous consent to proceed for one minute more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MONDELL. There is no good reason why the prospecting permit should be limited to an area of that size except in developed territory. Therefore the importance of departing from the 10-mile provision in the former section and confining the operation of the 640-acre permit limitation to those areas that have either been developed or where the geological structure is such as to make it reasonably certain that oil will be developed at a reasonable depth in paying quantities.

The Clerk read as follows:

Sec. 11. That all permits and leases of lands containing or supposed to contain oil or gas, made or issued under the provisions of this act, shall be subject to the condition that no wells shall be drilled within 200 feet of any of the outer boundaries of the lands embraced within any permit or lease unless the adjoining lands have heretofore been patented or the title thereto otherwise vested in private owners, or unless the lessees or patentees of such adjoining lands shall, with the approval of the Secretary of the Interior, agree to the drilling of wells and removal of the oil or gas from the 200-foot tracts or reservations herein created, and to the further condition that the permittee or lessee will, in conducting his explorations and mining operations, use all reasonable precautions to prevent waste of oil or gas developed in the land, or the entrance of water through wells drilled by him to the oil sands or oil-bearing strata, to the destruction or injury of the oil deposits. Violations of the provisions of this section shall constitute grounds for the forfeiture of the permit or lease, to be enforced through appropriate proceedings in courts of competent jurisdiction.

Mr. RAKER. Mr. Chairman, I move to strike out the last word. Is there not a clerical error in line 3, page 39? The language reads, "proceedings in courts of competent jurisdiction." I wonder if that would not better be "proceedings in a court of competent jurisdiction." Under the language in the bill if a man's land extended over the divisions of counties, you could put him in three or four courts at once.

Mr. FERRIS. Mr. Chairman, if the gentleman thinks that is better, I have no objection to it.

Mr. RAKER. The gentleman from Colorado is usually well informed in respect to these matters.

Mr. TAYLOR of Colorado. It occurred to me that under the language suggested by the gentleman from California you might prevent a change of venue and give some courts exclusive jurisdiction.

Mr. RAKER. No; this is stronger than that. This is to enforce through appropriate proceedings in any court of competent jurisdiction. He commences his proceedings there, and of course you could move the transfer.

Mr. TAYLOR of Colorado. I think "any court" would be better.

Mr. RAKER. Then I move to strike out the letter "s" in the word "courts," in line 3, page 39, and to insert before the word "courts" the word "any."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 39, line 3, strike out the letter "s" at the end of the word "courts" and, before the word "courts," insert the word "any."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. RAKER. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CRAMTON. Mr. Chairman, before the gentleman begins, will he yield to me?

Mr. RAKER. I yield to the gentleman.

Mr. CRAMTON. In line with the amendment which we have just adopted, does not the gentleman think we should make that read "an appropriate proceeding" in place of "appropriate proceedings"?

Mr. RAKER. No; I think it is right the way it is. Appropriate proceedings may be an action in ejectment; it may be an action to forfeit a lease; it may be an action to compel them to carry out their contract, and it allows them to take any one of these proceedings that might be appropriate in a court of competent jurisdiction—not by legislative action whereby we say by legislation that a man may commence as many actions relating to the same property, if it be in diverse territories, if the imaginary line runs through it, as he pleases; and thereby he could not raise the question that more than one action is

pending upon the same subject matter. I think the gentleman's question, while pertinent, as all of his questions are, does not apply to this particular matter.

I desire to call the attention of the committee to one other thing, not with a view to striking it out, however. I am wondering whether or not we may not be a little severe:

Violations of the provisions of this section shall constitute grounds for the forfeiture of the permit or lease, to be enforced through appropriate proceedings in any court of competent jurisdiction.

In several of the bills we have permitted and directed the Secretary of the Interior to present the case to the Attorney General; the Attorney General was then to take proper proceedings to enforce the provisions of the contract and see that they are carried out and not permit a forfeiture. We ought not to pass legislation that is always holding a club over a man who is trying to do the right thing. If he permits the time limit to pass, the royalty amount, or the rental to go by—if he does many other things referred to in here, which easily can be corrected, a forfeiture is authorized.

I am not going to move to strike out the provision, but we ought to be at least careful in getting legislation of this kind that will produce results, that will protect the Government, and that means the people who own this property, and that is what it is—the Government is the proprietary owner and Congress disposes of it for the Government the same as a board of directors would for a corporation—and at the same time give the man or men, association, or corporation an opportunity to proceed without some one constantly after him to say that if he slips upon an icy street he is going to lose all his rights and have to go into court, and there will be a change of courts and different views and different thoughts. Men look at things differently; one state of facts might authorize forfeiture, and the court having passed upon the facts where there is a conflict the higher courts universally approve the lower courts' judgment; there may be no law involved; it is only a question of conflict of facts. Therefore you leave these conditions very unsatisfactory, and I believe the latter part of the bill to some extent corrects it. I know it is not the purpose of this committee to enact a piece of legislation that will be a club over the men who are trying to do a legitimate business, but the interpretation of this section should be liberal, should be fair, and if a man can comply with conditions that he has not complied with in advance, and it appears so to the court, no forfeiture, of course, should be permitted, and he should be allowed to comply with his contract where there is no destruction or damage or injury done.

Mr. ROBBINS. Mr. Chairman, I move to strike out the last word. I want to call attention to what the gentleman who has preceded me has said, because I was very much interested in his reference to the severe provisions of this section with regard to the forfeiture of the lease. Of course we all understand that the law abhors fines, forfeitures, and penalties. But we are not construing this act. The construction of it is a matter for the court. Now, if you will refer to lines 23 and 24, there is imposed upon the lessee of these oil lands a very severe and probably expensive operation, namely, that he is to "use all reasonable precaution to prevent waste of oil and gas developed in the land."

Mr. RAKER. Now, will the gentleman yield right there?

Mr. ROBBINS. Yes.

Mr. RAKER. The very purpose of my suggestion is with that idea in view. Some witnesses go into court and say you permit waste. You may find a dozen who would say that you have done all you could. If you can convince the court that you have permitted waste under this lease provision, if the court wanted to be technical and be strict in the matter following one line of witnesses' testimony, he would forfeit the lease, would he not?

Mr. ROBBINS. An action in court would forfeit the lease. Does the gentleman know what that means?

Mr. RAKER. Forfeit a lease—

Mr. ROBBINS. Just wait a minute and let me answer that. The forfeiture of this lease means you are going to have men who have gone probably from the oil regions of Pennsylvania, where they learned the business—because you are not going to get anybody to develop these leases except oil people, who have had experience in that business—and who have gone out to Montana or California for that purpose and have erected derricks, and they have hauled pipe for miles, got engines, and probably piped water for miles, and put down an oil well. They have no provisions for taking care of their oil when it comes to the surface, because it was a venture, and they did not know whether they would get oil or not, so they have simply dug a hole in the ground and banked it up and preserved the oil as best they could. It will evaporate, it will sink away, and if they

have not resorted to the very best means or reasonable means, which means effective methods, they are risking a forfeiture."

Mr. RAKER. Precautions.

Mr. ROBBINS. "Or reasonable precautions," those are the terms—why you are going to have them brought into court and the lease forfeited, when they are doing their best. Now, the people who want to forfeit these lands are probably the owners of the next property and want to oust the adjoiner and get their oil.

Mr. RAKER. That is just the point, exactly.

Mr. ROBBINS. You are going to have them surrounded by a lot of hostile witnesses and bring them in a strange court. I think the provision is too severe. Here is another provision that involves an immense amount of expense that can not be determined. To read the bill further, the lessee is not only "to use all reasonable precautions" to "prevent waste of oil or gas developed in the land," but he is to use all reasonable precautions "to prevent the entrance of water through wells drilled by him to the oil sands or oil-bearing strata, to the destruction or injury of the oil deposits." Now, if these wells are deep, as they are in the West, the lessee has not only got to pipe water to the well for operating purposes, but is compelled to shut surface water off in the water-bearing strata above the oil-bearing strata and he has got to plug that well. He has got to resort to every reasonable precaution to prevent the water from getting down into the oil-bearing strata below.

Mr. RAKER. May I ask a question right there?

Mr. ROBBINS. Yes.

Mr. RAKER. Having made that statement and having experience in the oil fields in Pennsylvania, what is the remedy if the lessee fails to carry out the terms of the lease; do they forfeit it?

Mr. ROBBINS. No. In Pennsylvania we have a statute on the books, or an act of assembly, as we term it, that regulates oil operations. The well is drilled down, of course, through the various stratifications until it strikes the oil-bearing rock. The well may go through salt-water-bearing rock, fresh-water-bearing rock, and that water would naturally flow down into the oil strata, and, being heavier, drive the oil away. Now, we do not compel them to block these various stratifications or plug the well, as it is termed, to shut off the water until they abandon the well, when it ceases to pump, because the pipe that is put in the well to pump the oil through would shut it off, and we require that to be done, but we do not forfeit the lease unless there is such willful negligence, willful carelessness, intentional carelessness, and lack of diligence and care that will show that there is something more than mere failure to shut off the water, as this act of Congress provides. This act requires a guaranty that no water will be permitted to flow down into the well, which is unreasonable.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RAKER. Let me ask the gentleman a question.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. RAKER. Mr. Chairman, I ask unanimous consent that the gentleman may have one minute more.

The CHAIRMAN. The gentleman from California asks unanimous consent that the gentleman from Pennsylvania have one minute more. Is there objection? [After a pause.] The Chair hears none.

Mr. RAKER. Take those provisions in lines 21, 22, 23, and 24, on page 38, and the party does not do those things. Can you suggest a better remedy than the forfeiture provision found at the last of this section? If you have a better remedy, what is the suggestion? I would like to hear it, because I think it is interesting and important.

Mr. ROBBINS. We never have a forfeiture clause in either our Pennsylvania law or any oil leases for failure to shut off water. We treat that as a failure to be punished not by a forfeiture but as a crime to be punished by a fine and imprisonment. We do not treat it as a forfeiture of the lease, because if you are going to forfeit the lease the penalty is too severe. You are going to deter bona fide operators from going into your oil fields to develop them at great expense; if you are going to hold up before them the fact that if they fail to "shut off the water" or "take reasonable care of the oil," and that these facts can be established by witnesses located on and interested in claims around them that may be and will probably be hostile, because they want to grab the lease, or jump the claim, then you deter and drive away the oil prospector; in other words, they will not undertake the expenditure required to develop the oil on the public domain under such harsh conditions.

Mr. RAKER. Your experience has been that this question could be best reached by an appropriate remedy of that kind instead of by a forfeiture clause?

Mr. ROBBINS. Yes. And I think we ought to do that.

Mr. RAKER. Do you find it is workable in Pennsylvania?

Mr. ROBBINS. We do. It works well there, and in Pennsylvania our law favors the prospector who takes all the risk, and who under our liberal and encouraging policies has developed the vast material wealth of our great Commonwealth.

Mr. CRAMTON. Mr. Chairman, I want to speak to the pro forma amendment.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent that after the remarks of the gentleman from Michigan that all debate on this amendment and all amendments thereto close.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that after the remarks of the gentleman from Michigan [Mr. CRAMTON] all debate on this amendment and all amendments thereto close.

Mr. MONDELL. I would like five minutes.

Mr. FERRIS. I will modify my request and ask five minutes for the gentleman from Wyoming.

The CHAIRMAN. The request is made for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. CRAMTON. Mr. Chairman, I simply want to say this in answer to what has been said by the gentleman from California [Mr. RAKER] and especially the gentleman from Pennsylvania [Mr. ROBBINS]. There are only two things really in section 11 that would constitute grounds for forfeiture. One would be to drill a well within 200 feet of an outer boundary, and the other would be to fail to "use all reasonable precautions to prevent waste of oil or gas developed in the land or the entrance of water through wells drilled, * * * to the destruction or injury of the oil deposits."

Now, as I gather it, the gentleman from Pennsylvania [Mr. ROBBINS] thinks a forfeiture ought not to be ordered unless it is made clearly to appear that this negligence was willful. Now, from what we heard in the hearings, it appears, at least in the California fields and elsewhere, the whole field might be affected by the negligence of one party, in one well, by letting water into the field, and if that is true it would seem that the thing the Government is concerned about is that the fact that negligence occurs, and not allow some fellow to get away because of his ignorance if, in fact, he did ruin the field or seriously depreciate it. It seems to me it will be a matter of great danger to introduce that item of intention into the legislation.

Mr. MONDELL. Mr. Chairman, I want to call the attention of the chairman of the committee to the provision beginning about line 10, after the word "act," on page 38, running down to line 19, as follows:

No wells shall be drilled within 200 feet of any of the outer boundaries of the lands embraced within any permit or lease unless the adjoining lands have theretofore been patented or the title thereto otherwise vested in private owners, or unless the lessees or patentees of such adjoining lands shall, with the approval of the Secretary of the Interior, agree to the drilling of wells and removal of the oil or gas from the 200-foot tracts.

I would like to have the attention of the gentlemen of the committee as to this. The effect of the language of the bill will be this, that in case the adjoining land is patented the Government lessee can not drill on the 200-foot strip unless the patentee of the adjoining land agrees to allow him to do so. The patentee of the adjoining land can drill right up to within an inch of the Government boundary, because he owns and controls his land, but the Government operator can not drill on the 200-foot strip unless the adjoining patentee agrees to let him do so. Now, nothing of the sort was intended, I am sure; but that is clearly a fair construction of the language.

Mr. CRAMTON. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. CRAMTON. What does the gentleman think of this language:

And no wells shall be drilled within 200 feet of any of the outer boundaries of the lands embraced within any permit or lease unless the adjoining lands have theretofore been patented or title thereto otherwise vested in private owners?

Does not that answer the gentleman's criticism?

Mr. MONDELL. It says:

Unless the lessees or patentees of such adjoining lands shall, with the approval of the Secretary of the Interior, agree—

Mr. CRAMTON. Another case. He does not have to get the consent if the title has previously vested in private ownership, but otherwise he has to get the consent.

Mr. MONDELL. I am inclined to think that under the language of the gentleman's bill he would have to get the consent of the private owner.

Mr. CRAMTON. Otherwise they would have said "and unless."

Mr. MONDELL. The language is not happy, because in no event should the Secretary of the Interior have to go to a pri-

vate owner and enter into negotiations in regard to the drilling on the 200-foot strip.

Mr. FERRIS. We do not have to do that.

Mr. MONDELL. Of course, the Secretary of the Interior would have authority without any law to enter into negotiations as to a reasonable arrangement for the drilling of oil wells within the 200-foot strip. But the language of the act seems to carry the idea with it that in some way the owner of the adjacent land is to be consulted beforehand.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FERRIS. Mr. Chairman, notwithstanding the fact that the debate has closed, I ask unanimous consent for one minute, in order to make a statement.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent for one minute. Is there objection? [After a pause.] The Chair hears none.

Mr. FERRIS. I think the gentleman from Michigan [Mr. CRAMTON] quite effectively answered the gentleman from Wyoming; but if the gentleman was right in the proposition, it ought to be amended. But I am sure he is not right, after reading it again. There are three things there. One of them is, if the adjoining land is patented land, then the owner may drill clear up to the property line. That is No. 1. If the title is in any wise vested in private ownership, he may come clear up to the line; and, third, he may make a contract between the private owner and the claimant, and they may both refrain from drilling up to the line or they may drill up to the line as long as it may be economically done, and in that event it has to be approved by the Secretary of the Interior. It would be a very great injustice—and the language is not so overly clear here—to have the claimant held back from the 200-foot line and let the private owner drill up to the line and drain the Government lessee's property. This language allows no such thing to happen.

Mr. MONDELL. I think perhaps, even if the committee does not think the language needs modification, that the discussion may serve a good purpose, at least as clearly indicating the intention of the committee. I suggest that in conference it might be possible to slightly modify that language so as to make it very definite and clear.

Mr. FERRIS. I think the gentleman from Wyoming is right about that. The gentleman from California [Mr. RAKER], sitting in his seat, was talking about that when the House convened to-day, and I read that very carefully; and on first thought I was of the opinion that it might be right, but on a re-reading, as you will find on page 38, line 18, the claimant could come clear up to the property line; and, second, the title thereto might be vested in private owners, and then he could come clear to the property line; and, third, he is required to use all reasonable precautions to prevent waste of oil or gas developed in the land or the entrance of water through wells drilled by him to the oil sands or oil-bearing strata, to the destruction or injury of the oil deposits, that might be most economical and best.

Mr. CRAMTON. And that might accommodate the third lessee?

Mr. FERRIS. Yes. There might be economy in not drilling unnecessary holes and blocking off water, and other economies that ought to be observed. This language has been combed over very carefully, and I think we better leave it as it is. I appreciate the desire of Members to help us get a good bill, but amendments hurriedly agreed to on the floor are always fraught with danger.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 12. That all unappropriated deposits of oil or gas situated within the geologic structure of a producing oil or gas field and the unentered lands containing the same, except, however, those embraced in any prospecting permit during the life of the same, may be leased by the Secretary of the Interior through competitive bidding under general regulations in areas not exceeding 640 acres and in tracts which shall not exceed in length two and one-half times their width, such leases to be conditioned upon the payment by the lessee of such royalty as may be fixed in the lease, which shall be not less than one-eighth in amount of value of the production, which royalty on demand of the Secretary of the Interior shall be paid in oil or gas, and the payment in advance of a rental of not less than \$1 per acre per annum thereafter during the continuance of the lease, the rental paid for any one year to be credited against the royalties as they accrue for that year. Leases shall be for a period of 20 years, with the preferential right in the lessee to renew the same for successive periods of 10 years upon such reasonable terms and conditions as may be prescribed by the Secretary of the Interior, unless otherwise provided by law at the time of the expiration of such periods: *Provided*, That any claimant who, either in person or through his predecessor in interest, entered upon any of the lands embraced within the Executive order of withdrawal dated September 27, 1909, prior to July 3, 1910, for the purpose of prospecting for oil or gas, and thereupon commenced development work thereon, and thereafter prosecuted such work to a discovery of oil or gas, shall be entitled to lease from the United States the producing oil or gas well or wells resulting from such work at a royalty

of not less than one-eighth of all the oil and gas produced and saved therefrom, together with an area of land sufficient for operation thereon, but without the right to drill any other or additional wells thereon, except as may be authorized by the President, and no wells shall be drilled on lands subject to the terms of this act within 660 feet of any such leased well, without the consent of the lessee thereof: *Provided further*, That where the President shall determine that it is to the public interest, he may lease the remainder of any such claim to the claimant, upon such terms and conditions as he may prescribe: *And provided further*, That all such claimants shall pay, in such manner as the President may determine, to the United States an amount equal to not less than the value when produced of one-eighth of all the oil and gas already produced and saved from such well or wells: *And provided further*, That no claimant whose well or wells may be involved in any suit brought by the United States or in any application for patent shall be entitled to a lease under this proviso, unless within six months after approval of this act he shall relinquish to the United States all rights claimed by him in such suit or application, unless the President shall further extend such time. No person who has been guilty of any fraud, or who had knowledge or reasonable grounds to know of any fraud, or who has not acted honestly and in good faith, shall be entitled to a lease under the provisions of this act.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent, on page 40, line 14, to change the word "walls" to "wells." It is merely a typographical error.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent to correct the spelling of the word indicated. Is there objection?

There was no objection.

Mr. RAKER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from California moves to strike out the last word.

Mr. RAKER. On line 25, page 39, of the bill under consideration, and on page 40, down to and including line 6 on page 41, I hope or wish it were possible that the following language might be inserted in lieu of the language there found. The conditions, I guess, however, are not such, under the circumstances, as to make it possible. The new language that I suggest is found in one of the bills reported, reading as follows:

That upon relinquishment or surrender to the United States, within six months from the date of this act, by any locator or his successors in interest of his or their claim to any unpatented oil or gas lands included in an order of withdrawal, upon which oil or gas had been discovered, was being produced, or upon which drilling operations were in actual progress January 1, 1914, and the claim to which land was initiated prior to July 3, 1910, the Secretary of the Interior may, within his discretion, lease, on such reasonable terms and conditions as he may prescribe, to such locator or his successors in interest the said lands so relinquished, not exceeding, however, the maximum area of 640 acres to any one person, association, or corporation, said leases to be conditioned upon the payment by the lessee of a royalty of one-fourth of the oil or gas extracted or produced from the leased premises or the proceeds thereof, each lease to be for a period of 20 years, with the preferential right in the lessee to renew the same for succeeding periods of 10 years, upon such reasonable terms and conditions as may be prescribed by the Secretary of the Interior.

Mr. MONDELL. Mr. Chairman, will the gentleman yield for an inquiry?

Mr. RAKER. In a moment.

Mr. MONDELL. My inquiry applies to the situation as it now exists. This is the opportune time to answer it.

Mr. RAKER. Very well.

Mr. MONDELL. Is the suggested modification that the gentleman has just read the provision of the bill as it passed the House before or the provisions of the amendment proposed by the oil men this year?

Mr. RAKER. I do not know anything about the oil men. It is the provision found in the confidential committee print. I mean, in speaking like that, that I do not recognize any class or group or individuals in presenting the matter. We discuss it when it comes before the committee, and when a matter is presented and it seems just and proper it is considered carefully.

Mr. MONDELL. None of us are respecter of persons; but, of course, we have to give some definition in order to identify it.

Mr. RAKER. I think, then, the gentleman has designated it correctly. In fact, this is the provision around which all this time and work and trouble has been going on for the last six years. The rest of the bill has been so adjusted in regard to the Alaskan situation, and in regard to the repealing clause, and in regard to the general leasing provision that only this part remains at issue. In fact, every time the committee has gone over this bill they have to a greater or less extent improved and made the bill more workable, I believe, for the general development of both coal and oil and phosphate.

But this provision is one that concerns the real center of the fight. Now, there is a provision here that gives some relief. The other provision would recognize in some fields the valid claims, bona fide claims, claims where there is no semblance of fraud, claims where the parties have actually complied with the law and discovered oil, but reservations are placed over them. But I am so optimistic in the affairs here and have such a high regard for the general justness and fairness of men dealing with others, that when this gets into conference I hope it may

be adjusted. There is now a difference between the House and the Senate. The House has passed heretofore one provision; the Senate has passed another. I hope when this matter is finally adjusted it will be found satisfactory. The Navy Department has within the past month realized and now sees the wisdom of legislation in regard to the oil situation. The justness of its actual use at the present time is recognized, the absolute necessity of that use. There is to be no injury or damage done to any part or branch of the Navy. The conditions being such as they are, when the three departments, with the Senate and House and the conferees from these two bodies, get together, I am thoroughly convinced now that we are going to finally secure this general leasing legislation.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. RAKER. I want four minutes more. I may not use but one. Then I shall be through.

The CHAIRMAN. The gentleman from California asks unanimous consent to proceed for four minutes. Is there objection?

There was no objection.

Mr. RAKER. I am confident that this contested matter, or the matter on which there has been so much difference, will be adjusted, because all those heretofore who have been contesting the leasing system, who have, in other words, stood for an out and out patent for all lands relating to oil, coal, phosphate, sodium, and potassium, now recognize that it is a proper thing, and that the people demand the leasing bill. That whole idea and thought is consolidated in the leasing proposition, and on it they have all been working, those originally in favor, those who had some doubt, and those who were opposed to perfecting the leasing legislation; so that I believe that has been done in this bill which will thoroughly protect the Government and give the highest development, and at the same time protect the public that will have to use these various minerals in their various walks of life and in their daily occupations and vocations. So that the only thing remaining is the question of adjusting these various claims and these various controversies in California and Wyoming.

So that the only thing remaining is the question of these various controversies in California and Wyoming, and the department now realizes the necessity of opening up reserve No. 2. We do not want to open up reserve No. 1. It ought not to be opened up. No one asks to open up reserve No. 3. They have got billions of barrels of oil, but it is necessary to open up the only one which will not permit the Southern Pacific Railway Co., the Standard Oil Co., and other companies to tap all the oil in that land while we are trying to hold it for the Navy, but will permit the men to use it and develop it and obtain the oil, paying the Government the royalty that it ought to have, and at the same time treating them as they ought to be treated, because of their energy, endurance, and patriotism, because of the money that they have invested in this, and their willingness to do the right thing. There is general good feeling prevailing, and I believe we are going to get results, and that this bill will be passed as it ought to be passed.

Mr. WALSH. Will the gentleman yield?

Mr. RAKER. I yield to the gentleman from Massachusetts.

Mr. WALSH. The gentleman is discussing most intelligently the provisions of this bill with reference to certain oil lands in his own State.

Mr. RAKER. I am trying to do that.

Mr. WALSH. When this measure was introduced or about to be introduced earlier in the session a great many of the Members of the House received communications and circulars in the nature of protests against this measure, which may or may not have appealed to some of the Members of the House who know very little about the intricacies and technicalities of this class of legislation, and which contended that this proposed legislation would result in the interests—I think that was the term used—which probably may have comprehended the corporations, which the gentleman has mentioned, being given a preference or unfair advantage in acquiring the rights in this oil, to the detriment of the public interest. I would like to ask—

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. WALSH. I ask unanimous consent that the gentleman may have two minutes more in order that I may complete this somewhat complex interrogatory.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that the time of the gentleman from California be extended two minutes. Is there objection?

There was no objection.

Mr. WALSH. I desire to ask the gentleman if this legislation is so framed as to safeguard the interest of the Government and

of individuals who might desire to enter into oil activities, and so as not to give any preference or monopolistic advantages to large corporations or combinations of capital that might seek to acquire exclusive control in this line of activities?

Mr. RAKER. I want to say to the gentleman in answer to his very clear although somewhat prolonged question, properly put and well put, that the bill as it is now presented to the House most strenuously protects the Government in every regard, desired by those who are seeking remedial legislation; but many of us believe that it not only does that, but that it does take from the bona fide claimants who have expended their time and their money and complied with the placer-mining laws made applicable by the law to petroleum—that it takes from them from one to two thirds of what they would legitimately be entitled to.

Mr. MADDEN. Will the gentleman yield?

Mr. RAKER. I yield to the gentleman from Illinois.

Mr. MADDEN. I want to thank the gentleman from Massachusetts for the clear and simple question that he has asked, and the gentleman from California for the very lucid statement he has made. We all understand it now. [Laughter.]

Mr. RAKER. The gentleman from Massachusetts and myself compliment and thank the gentleman from Illinois for his gracious remarks. [Laughter.]

The CHAIRMAN. The time of the gentleman from California has again expired.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. I do this for the purpose of calling attention to the modification of this section as compared with the same section of the bill as it passed the House on a former occasion. The provisions ought to be in parallel columns. The bill that passed the House with full approval of the House on two former occasions contained this language:

That upon relinquishment or surrender to the United States, within six months from the date of this act, by any locator or his successors in interest of his or their claim to any unpatented oil or gas lands included in an order of withdrawal, upon which oil or gas had been discovered, was being produced, or upon which drilling operations were in actual progress January 1, 1914, and the claim to which land was initiated prior to July 3, 1910, the Secretary of the Interior may, within his discretion, lease, on such reasonable terms and conditions as he may prescribe, to such locator or his successor in interest, the said lands so relinquished, not exceeding, however, the maximum area of 640 acres to any one person, association, or corporation, said leases to be conditioned upon the payment by the lessee of a royalty of not less than one-eighth of the oil or gas extracted or produced from the leased premises or the proceeds thereof, each lease to be for a period of 20 years.

It is a rather unusual thing for a committee, after having reported a bill unanimously and after having secured its passage through the House unanimously, to change the provisions of the bill vitally, fundamentally, and in a revolutionary manner. Therefore I thought some one ought to call attention to the fact that it has been done.

Mr. MADDEN. This is a period of revolution.

Mr. MONDELL. We were assured, when this bill was before the Committee of the Whole the last time, that it had the approval of all the secretaries whose names are in the Congressional Directory, as I recall it, and of about everybody from the President down, and that all these provisions were entirely satisfactory to everybody except a very few of us who constituted an objecting minority. That having been accomplished, the committee now come in with an entirely new provision, very different in character, which also we are assured has the approval of all of the Secretaries who have been consulted, and, I assume, of the Chief Executive, the approval of practically everybody it seems, except those who are really interested in the matter and whose rights are in jeopardy.

Mr. MADDEN. Will the gentleman yield?

Mr. MONDELL. I yield to the gentleman from Illinois.

Mr. MADDEN. I simply want to say to the gentleman that I am glad we are all "insured" under the terms of the bill. But I want to know what section of the bill he is objecting to.

Mr. MONDELL. No particular section of the bill. [Laughter.] At this time I am submitting a few remarks on the twelfth section of the bill, and calling attention to the very marked change that has come over the views of the committee since the bill was last unanimously reported, approved, and passed the House.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. I ask, Mr. Chairman, for five minutes more.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent that at the expiration of 10 minutes, 5 of which shall be used by the gentleman from Wyoming and 5 by myself, that all debate on the pending paragraph and all amendments thereto be closed.

Mr. MADDEN. Reserving the right to object, and I shall not object, I wish that the gentleman from Wyoming in the course

of his five minutes would give to us an illustration of the fundamental difference between the bill he is talking about and the one before the House.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MONDELL. Mr. Chairman, on a further examination of the RECORD I find that the gentleman from California [Mr. RAKER] was not entirely accurate in answer to my inquiry a moment ago as to the genesis of the provision he was reading. It seems he was not reading the amendment offered by the oil men, but that amendment as it had at one time been approved by the committee tentatively. So that there are really three propositions, one unanimously agreed upon on a former occasion, another proposed by the oil men, modified by the committee tentatively, and the third the provision in the bill.

Mr. MADDEN. Are the oil men making up this bill?

Mr. MONDELL. The oil men have not made up the bill. The trouble is the reasonable requests of the oil men have not been properly met in the bill.

I think it is entirely proper that American citizens, having great interests at stake, should be allowed to present their views to the committee, and my regret is that the committee did not see its way clear to deal as fairly with them in this particular matter as they did on a former occasion. The former provision of the bill was not a liberal one—far from it. The present one is a tremendously illiberal one and, in my opinion, not justified from anybody's standpoint.

Mr. MADDEN. Will the gentleman illustrate the difference?

Mr. MONDELL. If the gentleman will give me time. Because of the fact that it does not do justice to the oil men in the first place, and would restrict the production of oil in the second place unless the President comes forward and agrees that additional wells may be drilled. I realize the embarrassment of the committee in view of the very great differences of opinion surrounding these matters. They formerly gave these people, who had become involved in certain withdrawals, the right to secure leases on not to exceed 640 acres on a royalty of one-eighth. In many cases they had spent hundreds of thousands of dollars on them. The provision before us allows these same men to continue to draw oil only from the wells now drilled, and to drill no further wells. The result of that will be to limit production at a time when we need to increase it.

There is a provision under which the President may allow additional wells to be drilled, and it is in the hope that the matter may be so presented to the President that he may be able to untangle this raveled skein of views, opinions, and interests, and out of it to secure something reasonably fair, that the committee, as I understand it, has brought in the provision now contained in the bill.

No one is going to offer an amendment to it, although no one believes it is just what ought to be done.

Mr. MADDEN. Does it not put a good deal of a burden on the President to unravel these troublesome problems?

Mr. MONDELL. It does.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. FERRIS. Mr. Chairman, I yield two minutes to the gentleman from California [Mr. ELSTON].

Mr. ELSTON. Mr. Chairman, I made some preliminary remarks in general debate the other day in regard to the attitude of the western members of the committee touching this bill, and I had particular reference at that time to the provisions of this section. This section gives the California oil operators and the Wyoming oil operators, who were caught out in the first withdrawals, concerning the validity of which there was a great deal of doubt among lawyers and judges—it gives to these men who were brought into that unfortunate situation, not by their own fault, not by any conspiracy, practically nothing but a modicum of the very meager relief which this House has heretofore given to them unanimously. Twice this House has passed a bill without any opposition granting to these men upon the relinquishment of all of their claims to the Government a lease of their claims, not exceeding a limit of 640 acres, upon a royalty of one-eighth, namely, the ordinary commercial royalty which obtains between lessor and lessee in ordinary commercial oil-lease transactions.

Under the relief provisions heretofore accepted by the House the Government got the advantage of the great expenditures of time and money made by the pioneer oil men of the West and obtained the same rental that it would receive from an ordinary lessee. That was rather unfair. It was the relinquishment by the oil operator of all benefits of his pioneering efforts. Now he

is brought down by a combination of circumstances, by the pressure of the departments, to relief which is far below the meager relief offered to him twice before.

I want to express one hope, and that is that there may be some way to get the President's mind personally on this proposition, to get his personal attention to the real merits, in order that under the discretion granted to him in this bill he may do justice to the oil men of the West. Then, I know he will do proper justice to the oil men of California and Wyoming, just as they have met him—patriotically and generously. [Applause.]

Mr. FERRIS. Mr. Chairman, I shall detain the committee only a moment or two upon this, but the committee is entitled to know something about this. This is the so-called relief section over which there has been so very much controversy. This is the section about which Congress was circularized early in the present session. It is the same section referred to by the gentleman from Illinois [Mr. MADDEN], and by the gentleman from Massachusetts, and this is the section that the Secretary of the Navy formerly objected to—rather, it is the subject matter of the section. The section has changed so much no one would know it.

Mr. MADDEN. This is the section that the gentleman from California [Mr. RAKER] so lucidly described a few moments ago?

Mr. FERRIS. This is the same one, and this is the same subject matter that the Department of Justice has been interested in and about which it has written so many letters to the chairman of the Committee on the Judiciary, Mr. WEBB. It is the same section that the Secretary of the Navy has written so many letters about to the chairman of the Committee on Naval Affairs, Mr. PADGETT. It is the same section over which there is still a sharp controversy between the Senate and the House. This is the section that the oil men now claim is harsh, and that it deals heavily with them. So much for the identity of this section. Let me in a word state how we arrived at this section. There are three naval reserves in the West, large in area and with a good deal of oil in them, some of them very rich in oil, some partially developed, some totally, and some not at all. They were withdrawn in 1909 by President Taft. Drilling was in progress at that time. Men had vested rights there then. This withdrawal order stopped the whole performance. There were horseback opinions given hither and thither throughout the West that this withdrawal order had no effect, and that President Taft had no authority to do what he did do.

Many good, honest men went on drilling under the advice of highly paid counsel, who thought they knew their business, and they thought that was the law. Finally, after six or seven years the Supreme Court held that he had the authority to withdraw the land, and it was a divided court at that. The Attorney General has heretofore brought 55 suits in an effort to have the court hold they had no rights at all, trying to take all of their property away from them. With the eye of a prosecutor who is relentless and pitiless, I suppose the Department of Justice was doing its full duty. The Secretary of the Navy, with an eye vigilant to the withholding of all Government property and preserving an adequate supply of oil for the Navy, also had the oil men by the throat, and the Secretary of the Interior, who is the legal custodian and executive officer of this land, was somewhat of a sharpshooter in looking after the Government's interests. He, too, was vigilant, clear-headed, and watchful that no Government rights be sacrificed or neglected.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FERRIS. Mr. Chairman, as the bill passed the Senate the oil men felt that they had fared pretty well. They did. The Navy Department was protesting with all the steam they had at their command, and the Department of Justice with all the steam they had. The Secretary of the Interior agreed to but a part of the provisions that went into the bill. The bill came over here and was referred to the Committee on Public Lands. Our committee set to work to have hearings in an effort to thrash out the differences and try to get at some plan whereby we could do justice to these oil men—and they are good honorable men, every one of them, and nothing but the most honorable tactics have been maintained by them throughout the whole proceeding.

We had hearings lasting five or six weeks. We called to our aid a representative of the Department of Justice, which had started the 55 suits, and their representative sat there through every part of the six weeks' hearing. We called to our aid the Secretary of the Navy, and he designated Commander Wright,

one of his representatives, who sat there and observed everything we did and said. Secretary Lane furnished us Judge Finney, one of his law officers, to come and help us. They were all helpful. They were all anxious to do their duty. Our committee was patient and earnest. It was a hard job; it was a difficult job. We labored as faithfully as we knew how, and every man on the committee, on both sides, was patriotically and honestly trying to do the right thing; trying not to rob these men, who had honestly spent hundreds of thousands of dollars to develop that desert waste; trying not to take the last penny they had. No one wanted to do that. On the other hand, we did not feel that we ought to surrender to the oil men and let them have all of their amendments. They had 25 or 30 amendments which they wanted inserted. I do not criticize them for that. It is natural. Human nature is very much the same everywhere. It is the same in my State; it is the same in Wyoming; it is the same in California. The ordinary citizen feels that anything that he can divest his Government of and give to himself with color of honor he ought to do it. I do not want to render any wholesale indictment against people, but human nature is just the same everywhere. We sat there for six weeks. The oil men came and laid their cards on the table. They offered 25 or 30 amendments. I had their amendments printed in italics in the bill as a special committee print, so that everyone could see what they were. Some of the amendments we adopted and some of the amendments are in the bill, and made it better than it was before. With such intelligence and light as we had before us we accepted them, but on this question of relief we did not accept their proposal. Their proposal, as advocated in before the Senate and elsewhere, was, in a word, to direct the dismissal of the 55 suits. I do not think a legislative body ought to do any such thing now or to-morrow or at any time. It is taking too much responsibility. Their plan was to direct the issuance of patents to these lands.

Mr. ELSTON. Is the gentleman not speaking of a situation of about five years ago? They have not within recent years tried to do anything such as the gentleman suggests, have they? The oil men of California and Wyoming did not ask to have the suits dismissed?

Mr. FERRIS. The Senate bill amounts to that.

Mr. ELSTON. I mean in the House.

Mr. FERRIS. I do not know whether they instigated that in the Senate. This matter has been before us so long—it has appeared in so many forms. I hold in my hand the Senate bill. It directs the suit to be dismissed, and it directs that patents issue for these lands. I shall not as a member of the committee ever do any such thing as that. Congress ought not to do any such thing. It is too much to expect of us.

The CHAIRMAN. The time of the gentleman from Oklahoma has again expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for five minutes.

Mr. FERRIS. I do not want to bore the House, but this is a very important matter.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that the time of the gentleman from Oklahoma be extended for five minutes. Is there objection?

Mr. MONDELL. Mr. Chairman, reserving the right to object, how long is the gentleman going to continue?

Mr. FERRIS. Five minutes.

Mr. MONDELL. I ask that I may have three minutes.

Mr. FERRIS. Oh, Mr. Chairman, I will quit now because the gentleman has spoken twice, I think, and I do not think the gentleman ought to do that. I have charge of the bill and I have not consumed a great deal of the time, and the gentleman has consumed a tremendous lot of time.

Mr. MONDELL. This is a very important section of the bill and there are two sides to this proposition.

The CHAIRMAN. Objection has been made, and the Clerk will read.

Mr. MADDEN. Mr. Chairman, I would like to ask five minutes, I have not talked at all on this bill. I ask unanimous consent that I may have five minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that he may proceed for five minutes. Is there objection?

Mr. ELSTON. Mr. Chairman, reserving the right to object—and I am not going to object—the gentleman understands that this is a sort of aftermath discussion. There is an amicable arrangement in reference to this whole situation that has been effected. There is no soreness on the part of California. I said yesterday we suffered this situation. We feel that we have not been given justice, but we feel that production is a big thing, and there have been some expressions here that provoked the explanation of the chairman. I am sure he does not intend to

bring about any discussion, and surely he is not going to yield to any proposed amendment.

The CHAIRMAN. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, it seems to me that discussion and debate upon this measure has reached a very peculiar stage when the chairman of the committee having charge of a measure can not by unanimous consent get his time extended five minutes further. I trust at least the gentleman from Illinois may have that courtesy accorded to him.

Mr. STAFFORD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. STAFFORD. Do I understand objection was made to the request that the chairman of the committee may proceed for five minutes? I ask that my request be again submitted that the gentleman from Oklahoma may continue for five minutes.

The CHAIRMAN. There is a request now pending that the gentleman from Illinois proceed for five minutes. Is there objection?

Mr. WALSH. Reserving the right to object, did not the Chair announce that the request for extension of time to be granted to the gentleman from Oklahoma was objected to?

The CHAIRMAN. The Chair so did.

Mr. STAFFORD. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. STAFFORD. May I inquire who objected to that request?

The CHAIRMAN. The gentleman from Oklahoma himself objected to it.

Mr. STAFFORD. I again make the request, with the consent of the gentleman from Illinois, that the gentleman from Oklahoma may proceed for five minutes.

The CHAIRMAN. That request will be considered after the request now pending shall be decided.

Mr. STAFFORD. The gentleman from Illinois withdraws his request temporarily.

The CHAIRMAN. The gentleman from Wisconsin requests that the gentleman from Oklahoma be allowed to proceed for five minutes. Is there objection? The Chair hears none.

Mr. FERRIS. Mr. Chairman, I may not take all of the five minutes. I thank the committee. I never have but one object in going at a thing, and that is as it is, and that is what I am trying to do here. I attach no wrong thought to those people. I said at the start they were pleading their own case. They have a right to do that, and I do not complain. They were before our committee for six weeks. They were well qualified to present their cause. Some of them have lost lots of money; some of them have made lots of money. There are, I suppose, good and bad ones among them, but as far as I know they are a fine lot of people who have been before the committee for a long time, and we gladly and patiently heard them. What I am trying to get at, and if the words I speak now have any force at all it will be a little help to me in conference to hold this matter in line. I try never to speak without purpose, and I have a purpose in this, and that is I want the House to know a little about this so that I might perchance get a little support in conference. The trouble about this bill is not here to-day, it is in conference. This provision as it now stands, as has been suggested by the gentleman from California [Mr. ELSTON] has been agreed to. It enjoys the indorsement of the three departments that have to do with it—Secretary Lane, Secretary Daniels, and Attorney General Gregory.

Attorney General Gregory has the suits, Secretary Daniels has the Naval Reserves, and Secretary Lane, has the administration of the lands. They have all written letters and advocated and helped to make this section. They were present by their representatives at all times. Our committee has finally agreed and the Members of the Western States have agreed. Those Members representing the States of these oil constituents who are in the oil business think this is but scant justice. Perhaps it may be, but we can not get together on any other provision than this, and we have tried as long as there is any use in trying to get together on anything else. This provision is, in a word, that a claimant can go ahead and drill wells, work, and pump oil from the wells now open and producing, but does not let them go on drilling more on these naval reserves. If they want to go and bore more wells they must make a new lease. They can not go on their old claim to titles.

Mr. MONDELL. Will the gentleman yield?

Mr. FERRIS. I will.

Mr. MONDELL. That does not apply only to naval reserves, it applies to any of the lands affected?

Mr. FERRIS. I understand, but there is a provision—there was some controversy whether they have titles out there or not—there was a provision here if in the judgment of the Presi-

dent—which of course does not mean very much, it only means a departmental officer who has to do with that particular branch will recommend to him—he may by proclamation when public interests demand the need of oil, permit drilling everywhere, inside and outside.

Mr. CRAMTON. If the gentleman will permit, the gentleman alarms me a little there. In the event it is developed that the country comes to face a very serious situation, due to the shortage of oil during this war crisis and these preserves present one of the best opportunities for a quick increase of consumption, does not the gentleman feel that that clause would then be of importance?

Mr. FERRIS. I do. What I meant to say was I do not think this confers such unusual and extended powers on the President, but it really means that the administrative officer under him who has jurisdiction of that particular branch will work out the details and the President will affix his signature to it. I can not believe that the President can have the time to blow the nose of every citizen in the Republic every time the occasion may warrant it. I know he is the greatest man in the world to-day. I know his ability to turn off work is almost limitless, still he should not be expected to deal with all these oil claimants and the limitless muddles they get into.

Mr. RAKER. As a matter of fact, naval reserves Nos. 1 and 3, there is no one desiring to take that and go ahead?

Mr. FERRIS. That is true, but the Navy reserve No. 2 is the big oil reserve, and Navy No. 2 is where the big strike and the big wells are. It is the one where the big oil wells are. It is the one over which their has been so much controversy.

Mr. ELSTON. Is it not a fact that seven-eighths of the land comprised in Navy reserve No. 2 is private property, either by patent or adjudication of the courts up to date, and the Navy has admittedly, so far as uncontested title is concerned, or possibly where the title may be contested and where the opinion is it may prevail, title to about only one-eighth of it, and that seven-eighths is in private hands?

Mr. FERRIS. That is, provided the Southern Pacific is going to win the suit. That is not yet the final judgment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent that I may be allowed to proceed for five minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that he may proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MADDEN. Mr. Chairman, I am going to confess what I very rarely confess, to a very scant knowledge of the legislation that is pending. As a rule, I try to be familiar with the details of legislation before the House, but I know very little, if anything, about this bill.

But I am very glad the gentleman from Oklahoma [Mr. FERRIS], the chairman of this committee, brought out the fact that it was proposed to legislate lawsuits out of court by the men who were interested in making up this section of the bill, and that the committee decided not to allow that to be done, for I know of nothing that would be more vicious than legislation that would take out of court cases that are in process of adjudication. I have seen things of that sort attempted here before. Fortunately, the membership of the House, when they understand the situation, have always used wisdom in the determination of the question.

Mr. LA FOLLETTE. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. LA FOLLETTE. There never was anyone who asked for any such right as that, and the provision that was put in was to give them, in case they chose to relinquish any suit they had, the right to come in under the bill; but neither the committee nor the oil men themselves have ever asked that anybody's judicial rights should be taken away. We could not do it if we desired to do so.

Mr. MADDEN. I understood the gentleman from Oklahoma to say that the language of the bill originally would legislate cases out of court.

Mr. ELSTON. I take exception to the accuracy of the chairman's statement on that.

Mr. FERRIS. The Senate bill.

Mr. MADDEN. I did not intend to say that it was done in this committee, but somebody wrote it in. The legislation was before us. This committee struck it out. At whose instance it was put in I do not know and do not care. I think it is vicious, and I am glad, more than glad, that the men on the Committee on the Public Lands of the House have had wisdom enough, and patriotism enough, and integrity enough to stand against that kind of vicious legislation. If these men who have made claims on oil property out in the West have any rights and those rights are contested by the Government of the United States, let the

courts decide who is entitled to them. We have no right to take those cases out of court, and ought not to do it. It would be dishonest if we should do it, and it would be proper that we should be criticized for not having the integrity of purpose that should exist in Congress. I do not care who the oil men are, how much influence they have, how much patriotism they profess, how much they are giving up, how far they are willing to concede the rights of others, I am opposed to them or anybody else being permitted to write language into any bill that would legislate a case out of court. If this bill, when it came to the Committee on the Public Lands of the House, contained any such provision as this I am proud of the integrity of our Committee on the Public Lands for taking it out of the bill, and I hope that when the bill goes to conference the conferees of the committee will be sustained by the House in their determination not to insert it in the bill again. For one, I will be found here on the floor, if I am alive, defending them in any report that will insist on maintaining the integrity of the Government and protecting the rights of the American people against any combination of interests, I do not care whether they are in the oil business or any other business.

Mr. ELSTON. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman has expired. The Clerk will read.

The Clerk read as follows:

SEC. 13. That rights of way through the public lands of the United States are hereby granted for pipe-line purposes for the transportation of oil or natural gas to any applicant possessing the qualifications provided in section 1 of this act to the extent of the ground occupied by the said pipe line and 25 feet on each side of the same under such regulations as to survey, location, application, and use as may be prescribed by the Secretary of the Interior, and upon the express condition that such pipe lines shall be constructed, operated, and maintained as common carriers: *Provided*, That no right of way shall hereafter be granted over the public lands for the transportation of oil or natural gas except under and subject to the provisions, limitations, and conditions of this section. Failure to comply with the provisions of this section or the regulations prescribed by the Secretary of the Interior shall be ground for forfeiture of the grant by the United States district court for the district in which the property, or some part thereof, is located in an appropriate proceeding.

Mr. RAKER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from California, a member of the committee, offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 42, lines 1 and 2, strike out the words "or the regulations prescribed by the Secretary of the Interior."

The CHAIRMAN. Does the gentleman from California desire to be heard?

Mr. RAKER. No.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. CRAMTON. Mr. Chairman, I want to be recognized in opposition to that amendment.

The CHAIRMAN. The gentleman from Michigan is recognized.

Mr. CRAMTON. I am inclined to protest against our slipping through here, without a word of explanation, a provision that takes it entirely out of the hands of the Secretary of the Interior to enforce the regulations that we empower him to make.

Now, we are proposing to lease properties that are worth, perhaps, millions. We are placing it in the hands of the Interior Department to make the regulations under which those leases shall be held, and then the committee, after consideration, having provided that upon a violation of those regulations a lease may be forfeited by a proceeding in court, now it is proposed by a member of the committee, without a word of explanation or any discussion whatever, to strike out a provision for enforcement as to the regulations of the Interior Department. And personally I can not refrain from making an objection to the amendment.

Mr. RAKER. Mr. Chairman, I am going to take five minutes when I get the chance, now.

Mr. CRAMTON. I am delighted if I have at least been able to get the sponsor of the amendment to say something. It is customary to get the proponents of an amendment to open a discussion, but in this I was mighty lucky to get it at all.

Mr. RAKER. I thought I would save time of the committee. It is so apparent and so just that possibly I made a mistake in not explaining it. I want to call the attention of the committee to the fact that other provisions of the bill authorize the Secretary of the Interior to prescribe rules and regulations that go into the laws. Now, do not forget that. I want to particularly call that to the attention of the gentleman from Michigan [Mr. CRAMTON].

Now, this provision is entirely different and distinct. The provisions in section 13 are those prescribed in the law, and, whether they are included in the lease or not, they are a part of the lease, and if the lessee violates those provisions of the law the lease may be forfeited in a court of competent jurisdiction under proper proceeding.

Now, when we reach the proviso that is offered to be stricken out, we find that the Secretary of the Interior is authorized to prescribe regulations not in the lease, not contained in the lease, not known to the lessee, not known to the public nor in the law, no one having knowledge of them, enacted after the lease has been enforced possibly for a year or two years—things that might deprive the lessee of his valuable property. The Secretary of the Interior prescribes regulations whereby, if the lessee does not comply with them, what is to happen? Not that they should be enforced, but that the lessee loses his lease. You can go into a court of competent jurisdiction and forfeit the lease under a rule and regulation adopted by the Secretary of the Interior years after the lease has been issued and the party has been in possession of the property.

Now, clearly, there is not any legislator nor any man who wants to take a snap judgment upon anybody by adopting rules and regulations that will forfeit the property under the rules and regulations that he can carry out. If he does not do it you can go into court and compel him to carry them out. Oh, no. You are not satisfied with that. You want to forfeit his property. You want to take it from him with the high hand without his knowledge.

Now, clearly, neither this Congress nor any Congress ought to pass such a law as to leave a snare and a pit for a man to fall into. You want to be open and fair. You want to deal with them with open-handedness and give them an opportunity to have written into the law what you expect them to do. And if you write into the law provisions to be complied with, everybody will know; they will know when they get their lease and start to work. If they do not comply with it and are recalcitrant they go into court and forfeit it.

Mr. CRAMTON rose.

Mr. RAKER. I yield to the gentleman.

Mr. CRAMTON. No. I am in hopes to give the gentleman some information. I wait for the gentleman to conclude.

Mr. RAKER. The gentleman spoke about giving information. I am always willing to get information.

That being the case, Mr. Chairman, I am sure we ought not to put any snares or pitfalls into this bill. We allow the Secretary of the Interior to make rules and regulations if they are inserted in the lease. That is all right, because if a man takes a lease he takes it knowing those facts. They are written in the lease. But even my able and distinguished friend from Michigan [Mr. CRAMTON] does not want rules and regulations to be issued that will forfeit a man's lease or property after the lease has been executed and delivered, does he?

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. CRAMTON. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection to the gentleman's request?

Mr. FERRIS. Reserving the right to object, after the gentleman concludes, in five minutes, I ask unanimous consent that the general debate be concluded. No; I modify, Mr. Chairman, that by including five minutes for the gentleman from Wyoming [Mr. MONDELL], making it 10 minutes.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that the debate on this section be concluded in 10 minutes, giving 5 minutes to the gentleman from Wyoming. Is there objection?

There was no objection.

Mr. CRAMTON. Mr. Chairman, if I properly understood the gentleman from California [Mr. RAKER], who is generally very clear, I understood him to fear that, by reason of the phrase which he tries to strike out, the lease under which these operators would secure their oil might be forfeited by reason of these regulations.

Now, Mr. Chairman, I would like to have the attention of the gentleman who has proposed this amendment. I understand the gentleman is worrying because the lease that the oil operator has is going to be forfeited in some way because of some regulations that are not in the lease. That is the idea, is it?

Mr. RAKER. I will answer the question. I am not afraid, but I do not want to be a participant in—

Mr. CRAMTON. Answer the question. It is the lease that the oil operator has?

Mr. RAKER. Yes.

Mr. CRAMTON. Then this, Mr. Chairman, is a good illustration of the danger in passing offhand a half-baked amendment that comes in here, even from the distinguished Member from California, because section 13 has nothing to do with oil leases whatsoever. It only has to do with rights of way through public lands to be granted for pipe line purposes for transportation of oil, under rules and regulations prescribed by the Secretary of the Interior and upon condition that such pipe lines shall be constructed as common carriers.

Mr. FERRIS. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. DEWALT, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (S. 2812) to promote and encourage the mining of coal, phosphate, oil, gas, and sodium on the public domain, and had come to no conclusion thereon.

ARMY APPROPRIATION BILL.

Mr. DENT, by direction of the Committee on Military Affairs, reported the bill (H. R. 12281) making appropriations for the support of the Army for the fiscal year ending June 30, 1919, which, with the accompanying report (No. 607), was ordered printed and referred to the Committee of the Whole House on the state of the Union.

Mr. KAHN. Mr. Speaker, I desire to reserve all points of order on the bill.

The SPEAKER. The gentleman from California reserves all points of order on the bill.

Mr. WALSH. Mr. Speaker, may I inquire of the chairman of the Committee on Military Affairs when he expects to call up the bill?

Mr. DENT. The understanding was that the bill would be called up on Monday.

The SPEAKER. The Chair will state to the gentleman from Alabama, for his information, that the gentleman from Kentucky [Mr. SHERLEY], chairman of the Committee on Appropriations, introduced his deficiency bill this morning and announced that he would like to get it up on Monday. The Chair makes that suggestion to the gentleman.

Mr. DENT. Then there is evidently some misunderstanding.

The SPEAKER. The gentleman from Alabama and the gentleman from Kentucky can work this out in the meantime.

EXPLORATION FOR COAL, PHOSPHATE, OIL, GAS, AND SODIUM.

Mr. FERRIS. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (S. 2812) to promote the mining of coal, and so forth.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. DEWALT in the chair.

Mr. CRAMTON. Mr. Chairman, this section does not refer to oil leases but to the grants of rights of way for pipe-line purposes, and it provides that they shall be "granted for pipe-line purposes for the transportation of oil or natural gas to any applicant possessing the qualifications provided in section 1, of this act"; that such grants shall be subject to "such regulations as to survey, location, application, and use as may be prescribed by the Secretary of the Interior," and that "failure to comply with the provisions of this section or the regulations prescribed by the Secretary of the Interior shall be ground for forfeiture of the grant by the United States district court," and so forth.

I submit that the point of the gentleman's argument which refers to provisions of oil leases does not apply to this section and the amendment ought not to be adopted. It is an example of the peril of accepting an amendment on the mere suggestion of a Member and without consideration.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

The question was taken, and the amendment was rejected.

Mr. CHANDLER of Oklahoma. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 41, line 16, after the word "and," strike out "twenty-five on each side of the same," and insert in lieu thereof the words "not exceeding an additional 10 feet parallel with same."

Mr. CHANDLER of Oklahoma. Mr. Chairman, I see no reason for granting a right of way for a pipe-line company of this magnitude. There is no reason in the world why a pipe line should have any more right of way than a railroad company,

and most of the railroads in this country only have 50 feet right of way. This bill provides that the pipe lines shall have a grant of the land occupied by the pipe line and then an additional 25 feet on each side of the pipe line.

Now, this is entirely too much ground to give to any pipe-line company. As everybody knows, most of the railroads of the United States have only 50 feet of right of way—they have to make grades, and so forth—but a pipe line only takes up 12 or 16 inches, making no grade, simply digs ditches, goes over the hills and down again, and the Government ought not to give a pipe-line company this amount of land.

Mr. STAFFORD. Will the gentleman yield?

Mr. CHANDLER of Oklahoma. Yes.

Mr. STAFFORD. I have not as much knowledge of oil pipe lines as the gentleman from Oklahoma, who lives in an oil district, but I have seen pipe lines in the West, and the query arose whether it is necessary to grant such a large right of way as 20 feet. I can not see any necessity of having that space granted to one separate company. I should think with the pipe line laid in a gulch it would be advantageous to have the pipe line confined to a narrow way. Everyone agrees that 50 feet is too extensive, but why should you give 20 feet to one company? Might not that be too large a width to be granted to a company?

Mr. MONDELL. Will the gentleman yield? Do I understand the gentleman to say that anybody has admitted that the width permitted in the bill is too much?

Mr. STAFFORD. I have heard expressions from gentlemen on the committee that 50 feet was entirely too much.

Mr. MONDELL. Have gentlemen changed their minds since they left the committee room? I thought we were bound to stand by the bill.

Mr. STAFFORD. The gentleman can see how they have stood by the bill in voting down an amendment by the gentleman from California which seemingly had the support of some members of the committee.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. CHANDLER of Oklahoma. Mr. Chairman, I ask to proceed for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma.

There was no objection.

Mr. CHANDLER of Oklahoma. Mr. Chairman, in answer to the gentleman's query, my amendment does not provide for 20 feet but for 10 feet in addition to what they occupy. Really I do not see a great deal of use for an additional 10 feet, although the question might arise in building telegraph and telephone lines parallel to the pipe line, and that is a part of the pipe line for which they might need the additional 10 feet. Most of the pipe lines over private ground simply provide for land that is occupied by the pipe line and the right of ingress and egress to repair the pipe lines. I can see no reason why a pipe-line company should be granted an additional right of way over public land from what they would ask over private land. That is my reason for offering this amendment and to give them 10 additional feet from what they ask from private individuals.

Mr. TAYLOR of Colorado. Mr. Chairman, I infer that my good friend from Oklahoma has never lived in a mountainous country. In a mountainous or rough and broken or hilly country pipe lines are sometimes buried on side hills or gulches, sometimes on high trestles, and on all kinds of ground, and people have to go up and down the lines to mend breaks in and repair the pipe line, and for various reasons, and you can not drive teams or haul material on a 10-foot strip of ground through that kind of country. The use of it is merely an easement, subject to such rules and regulations as may be prescribed by the Secretary of the Interior. These regulations will not prevent the ground from being used, if the ground is such that it ever can be used for anything; that is, if a pipe line runs over any land that anybody ever wants. It is only public land that has been heretofore deemed worthless. If the lands over which a pipe line will run were any good they would be in private ownership long ago. It is only the rough, arid land that nobody wants which is now open for settlement. If merely an easement over a right of way is given, and only temporarily, for the occupation by a pipe line, subject to such rules and regulations as the Secretary of the Interior will prescribe, the Government is not going to be hurt any by allowing the owner to use for that purpose only a strip of ground 25 feet wide on each side of the center of the pipe line, and I hope the gentleman's amendment will be defeated.

Mr. CHANDLER of Oklahoma. Will the gentleman yield?

Mr. TAYLOR. Yes.

Mr. CHANDLER of Oklahoma. We have pipe lines going over hills where you could not think of leading a horse, let

alone driving a wagon. So what good would 50 feet be? Your 10 feet covers it; and the ground used for the pipe line is taken up, and all you need is the right of ingress and egress as you get over private land. They have got to get to that in some way.

Mr. TAYLOR of Colorado. I did not yield to the gentleman to make an argument. The gentleman has already made a 10-minute speech in support of his amendment.

Mr. CHANDLER of Oklahoma. The gentleman asked me a question.

Mr. TAYLOR of Colorado. The gentleman says that railroad rights of way are 50 feet. As a matter of fact, railroad rights of way are, I think, always at least 200 feet, and some railroads have a right of way of 400 feet.

Mr. MONDELL. The Union Pacific Railway right of way is 400 feet.

Mr. TAYLOR of Colorado. Yes; I know that road claims 400 feet for about 1,000 miles. All of our railroads in the mountainous West must have 100 feet right of way. Our wagon roads are 60 feet, and even a ditch through that country ordinarily has a right of way of 25 feet on each side. They have to have it in order to properly maintain the ditch. This right-of-way provision pertains principally to Colorado and Wyoming and we now have a Federal law on this subject expressly applying to those two States and allowing a 50-foot strip of land for a pipe line.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TAYLOR of Colorado. I ask unanimous consent that my time be extended five minutes.

Mr. FERRIS. Reserving the right to object, which of course I do not intend to do, I ask unanimous consent that at the expiration of five minutes debate be closed. The amendment is a very inconsequential one.

Mr. MONDELL. If the gentleman will remember, I did not use the last five minutes he got for me.

Mr. FERRIS. Then I ask that at the expiration of 10 minutes, 5 minutes to go to the gentleman from Colorado [Mr. TAYLOR] and 5 minutes to the gentleman from Wyoming, debate on this may be closed.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that at the expiration of 10 minutes, of which 5 minutes shall go to the gentleman from Colorado and 5 minutes to the gentleman from Wyoming, debate on this amendment shall close. Is there objection?

There was no objection.

Mr. TAYLOR of Colorado. Mr. Chairman, owing to the very great shortage of oil, the very great consumption in excess of production, I assume that every Member of this House is very much in favor of oil development. With a shortage of 60,000,000 barrels this year, every patriotic citizen should be in favor of any fair law that will encourage oil development, and if this House is in favor of oil development there is certainly no reason for handicapping it by any more restrictions than are already in this bill. I may say that there is not a western Member of this House, certainly none from the States to which this legislation will apply, who is satisfied with this bill. It is much more drastic than we feel it ought to be. It will not bring about the development that the country needs and would get under a more liberal bill. At the same time we have agreed to accept this bill as the best we can get, and for that reason have not filed a minority report.

Mr. RAKER. Will the gentleman yield for a question?

Mr. TAYLOR of Colorado. Yes.

Mr. RAKER. I find that—

Mr. TAYLOR of Colorado. I yield only for a question.

Mr. RAKER. It is a part of my question. Here is an act granting the right to establish pipe lines in Colorado, giving a right of way of 25 feet on each side. That is the law now.

Mr. TAYLOR of Colorado. Yes; that is the Colorado and Wyoming act, and expressly grants 25 feet on each side. People can neither build or maintain a pipe line on less than that width in that country. There is no use of requiring impossibilities or restricting development by utterly impracticable restrictions and limitations that neither do the Government or anyone else any good.

Mr. CHANDLER of Oklahoma. The grant gives the right to the land which it is necessary to occupy for its pipe line.

Mr. TAYLOR of Colorado. My dear sir, to build and maintain a pipe line you have got to have more than just the actual land that the pipe rests on. You have got to have a wagon road to transport the material, you have very often got to take earth and rocks from the side of the right of way, and so on. A trestle supporting a pipe line may be 50 feet wide at the foundation.

There is no earthly use of preventing construction or compelling people to come back to Congress again to get a sensible law.

When the Secretary of the Interior is given the complete control of this right of way, that is sufficient; and I hope the amendment will not be adopted, because it is entirely inadvisable, absolutely impracticable, and utterly unnecessary. It can not be made to work out. Pipe-line owners would be compelled to go out and buy land adjoining every right of way or obtain from the Government an additional grant. This provision ought to be more liberal than it is. I hope this provision or this bill will not be misconstrued, because it is not intended to repeal that Colorado and Wyoming statute granting a right of way for oil pipe lines, because that act expressly gives an additional right to take whatever material may be necessary, and is a necessary, practical, and common-sense law, and I trust this act will not be held to supersede that very fair and beneficial law.

Mr. CHANDLER of Oklahoma. I think your bill is broad enough to cover not only the pipe line but the pumping station, and that they can go and take what land they need for the pumping station as long as they occupy it. Pumping stations are a part of the pipe line.

Mr. TAYLOR of Colorado. Why should you want to handicap these people in their very laudable and necessary efforts at oil development?

Mr. CHANDLER of Oklahoma. I am not attempting to handicap these people; I am attempting to give them a bill which is right from a practical oilman's standpoint.

Mr. TAYLOR of Colorado. The gentleman evidently has never had any experience in public-land States—I mean, in the Rocky Mountains—or he would know that this right of way is an absolute necessity. We have already cut it down from 100 to 50 feet. That is certainly the limit. Development will be seriously interfered with unless we have a right of way of at least 50 feet for our pipe lines across the rough portions of the public domain.

Mr. NORTON. The gentleman speaks about some one not having had experience in a public-land State, and I take it he wants the committee to infer he has had that experience, as I believe he has.

Mr. TAYLOR of Colorado. I have lived out there for nearly 50 years.

Mr. NORTON. If so, does not the gentleman know, as a matter of fact, that the width of the right of way granted to the railroads has been found by practical experience to be altogether too great in the Western States?

Mr. TAYLOR of Colorado. The 400-foot right of way granted to the Union Pacific was more than was necessary, especially on level ground for nearly a thousand miles; but in no place where there is rough ground has the 100-foot right of way been too wide or been curtailed.

Mr. NORTON. I am sure it is the consensus of opinion of the people in the Central West that the right of way of 100 feet on each side granted to the Northern Pacific and the Great Northern Railway through Minnesota, North Dakota, and Montana is altogether too wide.

Mr. TAYLOR of Colorado. On level farm land I think that is true. I think those railroads got a large amount of good land that they did not need and had no right to; but we are not asking for any good land or any land that we do not need.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. Mr. Chairman, there is now on the statute books an oil pipe-line law, applying to Wyoming and Colorado, which grants an easement of 25 feet on each side of the pipe line.

Mr. RAKER. Will the gentleman yield to me for a question right there?

Mr. MONDELL. This section will repeal that law, which is in many respects much more liberal than this provision is, so we are putting in this law a provision much less liberal than the present law.

Mr. RAKER. Will the gentleman yield for a question? The provision of law which the gentleman refers to is more extensive than this one, and reads as follows—

Mr. MONDELL. I know all about it.

Mr. RAKER. The right of way is the land occupied by said pipe line and 25 feet on each side of the center. Here is the provision:

Be it enacted, etc., That the right of way through the public lands of the United States situate in the State of Colorado and in the State of Wyoming outside of the boundary lines of the Yellowstone National Park is hereby granted to any pipe-line company or corporation formed for the purpose of transporting oils, crude or refined, which shall have filed or may hereafter file with the Secretary of the Interior a copy of its articles of incorporation and due proofs of its organization under the

same, to the extent of the ground occupied by said pipe line and 25 feet on each side of the center of line of the same; also the right to take from the public lands adjacent to the line of said pipe line material, earth, and stone necessary for the construction of said pipe line.

Mr. MONDELL. I introduced that bill. I know something about it. If we secure the development of oil on the public lands, which we hope for under this bill, long pipe lines will have to be built, and they will have to be built over a rough country. In many cases they will have to be carried on trestles and at elevations that will require a great spread of the trestle at the base. In many cases they will have to be built along sloping hillsides and mountain sides, and the width of 50 feet is none too great. The land that these pipe lines will run over in the main are of but little value, and all that is granted is an easement for the use of the pipe lines. No one in the operation of one of these pipe lines cares to have any more land than is absolutely essential for the maintenance of the pipe lines, but unless you grant enough so that the building of the pipe line can proceed and material can be obtained for the building of the pipe line, you hamper this very great development.

Mr. RAKER. Mr. Chairman, will the gentleman yield for a question?

Mr. MONDELL. If we were building these pipe lines largely through the fair and fertile valleys of Oklahoma, where the land is worth a great deal of money, it might be proper to reduce the width of the pipe-line right of way, but this is through public lands, mainly in the mountain and intermountain States, where it is rough, and a considerable width is necessary.

Mr. CHANDLER of Oklahoma. I would state to the gentleman from Wyoming that a pipe line runs from Oklahoma clear to New Jersey, over the mountains of Pennsylvania, and they have no 50 feet in addition to the ground occupied by the pipe line. They simply take the territory covered by the line.

Mr. MONDELL. I doubt if the gentleman knows how wide the rights of way are. They have purchased whatever properties they needed from the private owners. This is a proposition to build pipe lines for the development of Uncle Sam's oil and transport it to people who need it. There is no use of being niggardly in the granting of an easement in the form of a right of way.

Mr. RAKER. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. RAKER. Since looking through this Colorado and Wyoming act I find this provision in it that is not in this bill—

Mr. MONDELL. It authorizes the taking of material.

Mr. RAKER. Yes.

Mr. MONDELL. Which this bill does not, and which on two different occasions I have endeavored to have the committee adopt, but having promised the chairman not to offer amendments I did not offer it on this occasion, though that provision ought to be in the bill.

Mr. RAKER. Let me read it to the gentleman:

Also the right to take from the public lands adjacent to the line of said pipe line material, earth, and stone necessary for the construction of said pipe line.

Mr. MONDELL. I hope the gentleman will offer that amendment to this section.

The CHAIRMAN. All time has expired. The question is on the amendment offered by the gentleman from Oklahoma.

The amendment was rejected.

The Clerk read as follows:

Sec. 14. That the Secretary of the Interior is hereby authorized to lease to any person or corporation qualified under this act any deposits of oil shale belonging to the United States and the surface of so much of the public lands containing such deposits, or adjacent thereto, as may be required for the extraction and reduction of the leased minerals, under such rules and regulations, not inconsistent with this act, as he may prescribe; that no lease hereunder shall exceed 5,120 acres of land, to be described by the legal subdivisions of the public-land surveys, or if unsurveyed, to be surveyed by the United States, at the expense of the applicant, in accordance with the laws and regulations for the survey of public lands. Leases may be for indeterminate periods, upon such conditions as may be imposed by the Secretary of the Interior, including covenants relative to methods of mining, prevention of waste, and productive development. For the privilege of mining, extracting, and disposing of the oil or other minerals covered by a lease under this section the lessee shall pay to the United States such royalties as shall be specified in the lease and an annual rental, payable at the beginning of each year, at the rate of 50 cents per acre per annum, for the lands included in the lease, the rental paid for any one year to be credited against the royalties accruing for that year; such royalties to be subject to readjustment at the end of each 20-year period by the Secretary of the Interior: *Provided*, That for the purpose of encouraging the production of petroleum products from shales the Secretary may, in his discretion, waive the payment of any royalty and rental during the first five years of any lease: *Provided*, That any person having a valid location to such minerals under existing laws on January 1, 1918, shall, upon the relinquishment of such location, be entitled to a lease under the provisions of this section, for such area of the land relinquished as shall not exceed the maximum area authorized by this section to be leased to an individual or corporation: *Provided, however*, That no claimant who has been guilty of fraud in the location of any

oil-shale bearing lands shall be entitled to any of the benefits of this section: *Provided further*, That not more than one lease shall be granted under this section to any one person or corporation.

Mr. TAYLOR of Colorado. Mr. Chairman, I move to amend, on line 10, page 42, by inserting the word "lands" after the word "or."

The CHAIRMAN. The gentleman from Colorado offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 42, line 10, after the word "or" insert the word "lands."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Colorado.

The amendment was agreed to.

Mr. RAKER. Mr. Chairman, so as to make this provision conform with the first section, which limits the granting of a lease to a person or corporation or association, I move to amend by inserting the word "association," after the word "person," in line 21, on page 43.

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 43, line 21, after the word "person," insert the word "association."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. NORTON. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I ask unanimous consent to continue for 10 minutes.

The CHAIRMAN. The gentleman from North Dakota asks unanimous consent to proceed for 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent to close debate at the end of that time on this section and all amendments thereto.

The CHAIRMAN. The gentleman from Oklahoma then presents the request that at the expiration of that time all debate cease. Is there objection?

Mr. CRAMTON. Mr. Chairman, reserving the right to object, and I do not intend to object to either request, is it the hope of the gentleman that we may conclude this bill to-day?

Mr. FERRIS. It is my very earnest hope, Mr. Chairman; and it is very necessary, too. Our bill only has the right of way subject to the military appropriation bill and the other appropriation bills, and there is reported and will be called up on Monday both the military appropriation bill and the urgent deficiency appropriation bill, so if we are displaced and we do not conclude our bill to-day we will have to carry this bill in our pockets, the hearings in our hands, and the data in our minds all of next week and longer, so I hope we will all help to put it through to-night, if we can.

Mr. CRAMTON. And, furthermore, the bill perhaps will not go to conference for a week.

Mr. FERRIS. And the real work is to be done in conference.

Mr. NORTON. Mr. Chairman, I am very much in favor of the development of the oil industry of the country, as proposed by this leasing bill, and also the coal industry of the country. At different times during the past few years I have called attention to the tremendous importance of developing the lignite coal industry of the country and the possibilities of securing from lignite coal almost unlimited quantities of light oil. There are in the United States lignite coal fields bearing more than a trillion tons of coal, more than one-third of the coal deposits in the whole United States. I shall place in the Record, with the permission of the committee, some remarks which I made in June, 1916, on the investigations which have been made of lignite coal, and showing the possibilities of securing from those coals light oil and the basic material for the manufacture of high explosives and for the dyestuff industry. In North Dakota, South Dakota, and Montana the Geological Survey reports that there are 964,000,000 tons of lignite coal. In its natural state lignite coal contains from 30 to 40 per cent of water. This and other reasons inherent in the coal itself makes it not a desirable fuel unless it goes through some chemical or mechanical process which will take out this excess moisture. The Bureau of Mines for the last five or six years particularly has been making experiments and investigations on a small scale to determine the processes of briquetting lignite coal and in that connection secure the by-products and light oils from the coal. They have found so far from 2 to 4 gallons of light oil, practical to be used in any of the combustion engines just the same as gasoline, can be secured from a ton of lignite coal. That by-product will pay a considerable portion of the expense of briquetting the coal and of putting it in a form where it can be shipped from one part of the country to the

other. At the present time it is of greater importance than ever that the lignite industry in the Northwest, particularly in Montana and in the Dakotas, be developed because we are now using a large part of the transportation facilities of the country to ship coal from the head of the Great Lakes into Minnesota and the Dakotas.

Last year there was shipped into North Dakota some 700,000 tons of coal and about an equal amount into South Dakota, and more than a million tons of bituminous coal into Minnesota. If the Bureau of Mines could develop a process, and the Director of the Bureau of Mines thinks they can if they are given an opportunity to make extended experiments, that would make possible the putting of that coal in a form in which it could be sold in competition with bituminous and anthracite coal, it would relieve the railroad congestion greatly.

Mr. TAYLOR of Colorado. Will the gentleman yield for a question?

Mr. NORTON. Yes.

Mr. TAYLOR of Colorado. Has the gentleman appealed to the Interior Department, Bureau of Mines, to take that up in its experiment stations we established some time ago? The gentleman will remember we established some experiment stations which are supposed to work out processes of making available resources of that kind in the West, and I was wondering whether they had the authority, funds, and the information to take up that work in those experiment stations.

Mr. NORTON. Mr. Chairman, at different times during the past three years I have called the attention of the House to the tremendous advantages that would accrue to the Northwest in particular and to the Nation generally through a larger development of the vast lignite coal fields of the country.

On the floor of the House on June 23, 1916, I called particular attention to the valuable by-products of lignite and the practicability of securing through distillation processes an almost unlimited supply of light oils for use in internal-combustion engines and of the basic material for the manufacture of coal-tar dyes and light explosives. My remarks made at that time I shall insert in the Record, so that they may have the attention of present Members of the House who were not Members at that time.

The Nation's coal resources of all ranks total 3,553,637,100,000 minable tons. Of this total 1,051,290,000,000 tons, or nearly one-third, is lignite. Of this lignite 964,424,000,000 tons are located in North and South Dakota and northeastern Montana; in Texas approximately 23,000,000,000 tons; in Alaska, 7,404,300,000 tons; and relatively smaller quantities in several of the other Western and Southern States.

This lignite coal in its natural state contains 30 to 40 per cent water, and for this and other reasons inherent in the lignite itself it is not a very desirable fuel as mined. Millions of tons of bituminous and anthracite coals are shipped annually into these lignite-bearing sections—literally "carrying coals to Newcastle"—resulting in high prices for both industrial and domestic fuel, necessarily imposing a great handicap upon the industrial development of these sections, the tying up of transportation equipment much needed for other service, and in other substantial economic lost motion.

The economic problem is not a local but a national one.

In Texas there is some bituminous coal, but not more than enough to supply the railroads.

In Alaska \$35,000,000 are being spent on a railroad there, and it seems probable that the development of a large part of the territory served by this railroad will depend upon the utilization of lignite.

In North Dakota, in 1917, there was mined 603,000 tons of lignite, and imported 717,000 tons of bituminous coal from Lake docks, Indiana, and Illinois.

In South Dakota, in 1917, there was mined 12,000 tons of lignite, and imported 792,000 tons of bituminous coal from the Lake docks, Kentucky, West Virginia, Iowa, Indiana, and Illinois.

Minnesota, having no coal of her own, in 1917 imported 7,203,000 tons of bituminous coal from the Lake docks, Kentucky, West Virginia, Ohio, Tennessee, Iowa, Arkansas, Indiana, and Illinois.

The above tonnage does not include the anthracite coal from Pennsylvania, the exact figures for which are not yet available. But it is conservatively estimated that one and one-half million tons of anthracite coal are annually consumed in the territory which is naturally tributary to these Dakota lignite fields.

The exact mileage figures involved in this practically transcontinental shipment of this fuel are not available, but the mere statement of the tonnages and the distances shows that they are exceedingly large, and that the economic waste necessarily involved is little short of criminal.

The Fuel Administration are making heroic efforts to correct this condition, so far as lies within their power, by forbidding some of these long hauls, but the fact remains that the people in that rigorous climate must have fuel, and the evil can not be entirely eradicated until this lignite coal is made more generally available.

All of this coal imported into North and South Dakota and a substantial portion of that consumed by Minnesota can and should be replaced by lignite from the Dakota fields if the lignite is properly prepared, by means of drying or carbonizing or briquetting, or such combinations of these processes as the market demands.

Our leading engineers and chemists have for many years decried the wasteful practice of burning coal on the grates in common use. They have time and again shown that it is far more economical to break the coal up, by means of carbonization, into its constituent elements of solid carbon, gas, ammonia, and oils and tars, thus releasing these several valuable products for use in their respective important fields.

Because of the shortcomings, from a fuel standpoint, inherent in the nature of the lignite itself, it will never be used to any great extent in its raw state. The one fact of its 30 to 40 per cent content of water would of itself prevent its use elsewhere than in the immediate vicinity of the mine. This treatment or carbonization of the lignite, therefore, which is absolutely essential to its more general use, is strictly in accordance with modern scientific requirements and methods.

Some progress has been made in the way of better utilization of this lignite, but so far the development has not been such as to prevent people from readily paying a very considerable differential in favor of good coal. Instructive experiments have been made by the United States Bureau of Mines, the State of North Dakota, and the Province of Saskatchewan, Canada, which bring the matter measurably nearer to a satisfactory solution.

The gulf between the laboratory experiments and the large commercial industry should be bridged at once, and it should be done by governmental agencies. This span is already partly constructed, and the money asked for in this bill is required to complete the work by our own Bureau of Mines.

Instead of trying to burn the raw lignite in the primitive and wasteful ways now employed it should be modified to produce several products, each peculiarly adapted to a particular commercial need, namely:

1. Dried lignite, for use on automatic stokers and in fuel-gas producers. Because of its more or less comminuted condition the dried lignite can not be handled advantageously by hand, but it can be used very satisfactorily by mechanical means.

2. Powdered fuel, from the dried, pulverized lignite, for use in cement kilns, railroad locomotives, and other large furnaces. Because of its high volatile content this pulverized lignite makes an exceptionally good powdered fuel.

3. Dried lignite briquets, for large hand-fired industrial furnaces and heating plants. Where it is necessary to handle the dried lignite with a fireman's shovel it must be briquetted. Tests of these dried lignite briquets in commercial boiler furnaces have proved them to be fully equal in every respect to good Illinois and Indiana bituminous coals.

4. Carbonized lignite, for use in power-gas producers. Tests of this product in carload lots have proved it to be a very exceptional and unexcelled fuel for this purpose. It is of about the same analysis as Pennsylvania anthracite coal. In carbonizing the lignite the objectionable tar found in all coals containing a substantial quantity of volatile matter is removed, and the gas goes to the cylinder of the gas engine clean and tar free. For the production of power in this way carbonized lignite is fully equal to anthracite coal, charcoal, or bituminous coke.

5. Carbonized lignite briquets, for domestic service in house heating stoves and furnaces, fireplaces, and cooking ranges. This fuel, ton for ton, compares favorably in every way with anthracite coal, and is an ideal domestic fuel in such rigorous climates as those of North Dakota and Alaska. In climates where the thermometer not infrequently goes to 40 below zero this demand is an immediate and very large one.

In carbonizing the lignite valuable by-products in the form of gas, ammonia, and oils and tars are obtained.

The gas yield is upward of 10,000 cubic feet per ton of lignite. It has a heating value of 400 to 450 British thermal units per cubic foot.

A little more than one-half of the gas is necessary to carry on the carbonizing process; the balance can be used as a city gas for cooking, or for lighting if burned in a mantle, for furnace fuel, or for generating power by means of a gas engine.

The ammonia can be recovered as ammonium sulphate, a valuable fertilizer; as anhydrous ammonia, for refrigerating purposes; or it may be treated as a source of other nitrogen products, some of which are of vital importance in the manufacture of explosives.

Just what should be done with the tar and oil products in this country remains to be determined; this is an industry in itself, but this tar is known to contain substantial quantities of benzol, toluol, and other light oils, and the bases of many of the coal-tar dyes and chemicals. This industry is well developed in Germany, and I have in my hand a very instructive chart showing the uses made in Germany of the various fractions of the lignite oils and tars produced in the carbonization of German lignites. Prominent among these products are benzine and motor spirit.

In using raw lignite, as is done under the present practice, thousands of tons of screenings are annually wasted. The coal is forked over in the mine room and screened again at the surface when being loaded into railroad cars. If the problem is handled as outlined above, this waste would be eliminated, every pound of lignite broken from the seam would be put to some profitable use.

The raw lignite can not be stored economically; the treated product can; and this results in another large saving, in that the mines can operate under stable conditions the year around, instead of only during the winter months, as at present.

Some study should also be directed to designing appropriate apparatus for these classes of fuels instead of using devices already on the market intended to consume fuels of quite different character.

Unquestionably the experiments so far conducted open up very large economic and commercial possibilities, and I am confident that a little wider and more complete investigation will point the way for the establishment of carbonizing and briquetting plants throughout the lignite-bearing sections of the country, thus bringing effectively into the industrial world one of our largest natural resources, and resulting not only in the production of a first-class solid fuel so much needed, but in the saving of many by-products valuable in war as well as peace, and in easing up on the overburdened transportation system of the Nation.

Mr. TAYLOR of Colorado. Has the gentleman presented this subject to the Bureau of Mines, and has he tried to have these investigations made by one of the mining experiment stations which have been authorized to be established by the Bureau of Mines in different sections of the country?

Mr. NORTON. I will say to the gentleman, I have done this, and I have been given reasonable assurance that under existing laws and under the appropriations which have been made for the establishment of mining experiment stations of the United States Bureau of Mines throughout the country that a mining experiment station will be established during the present year somewhere in the Northwest given over entirely to the carrying on of investigations to discover practical processes of briquetting lignite coal and of investigations to discover practical ways of developing the mining and wider use of lignite coal for fuel purposes.

The annual appropriation now available for one of these mining experiment stations is but \$25,000. The Bureau of Mines thinks that this year the bureau should have an appropriation of at least a hundred thousand dollars to go into this work in a full and thorough manner in order to put the business of briquetting of lignite coals and the use of lignite coal by-products on a commercial basis and give the lignite coal industry an impetus, so that men who have private capital to invest will have confidence in the industry and will make use of the processes of mining and briquetting that may be found to be most practical and that may be recommended by the Bureau of Mines. I have had a bill before the House for some time for this purpose, and I hope to be able soon to have this bill reported to the House by the Committee on Mines and Mining. I trust when it does come before the House it may be acted upon favorably. At this time I merely wish to again call attention to and to emphasize the great importance of the development of the lignite coal fields of the Nation, both from its fuel possibilities and from the possibilities of securing from this coal in carbonizing and briquetting processes by-products of great value to the needs of the Nation at this particular time. The expenditure of a hundred thousand dollars by the Government for the development of a great natural resource of the Nation could not be expended in any way to better advantage than to encourage the development of the immense lignite coal fields of the West and Southwest. [Applause.]

The following are remarks which I made on a feature of this subject during the debate in the House on June 23, 1916:

Mr. NORTON. Mr. Chairman, I offer the following amendment. The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

"Page 110, after line 4, add a new paragraph, as follows:

"For special investigation of lignite coals with a view to their most efficient treatment and use, especially with reference to their utilization in producing fuel for internal-combustion engines and in supplying benzine, toluene, and other basic materials required by the dyestuff and related chemical industries, \$50,000."

Mr. NORTON. Mr. Chairman, I trust the chairman will accept this meritorious amendment.

One of the most important questions at the present time before the people of this country is the price and supply of gasoline and crude petroleum.

Due to the rapid development and the growing uses of automobile and other internal-combustion engines during the past few years, and the consequent increased use of gasoline for power production, the supply of gasoline and crude petroleum, from which for the most part gasoline is obtained, threatens soon to be exhausted. The production of crude oil in the United States and the entire world during the past 15 years is given in the following table, which summarizes in round numbers the total marketed production of crude petroleum in the United States from 1900 to 1915, inclusive, and shows for comparison the crude-oil production of the entire world during that period, in barrels of 42 gallons:

Year.	United States.	Entire world.
1900.....	63,400,000	149,100,000
1901.....	69,400,000	167,139,000
1902.....	88,800,000	182,000,000
1903.....	100,500,000	194,800,000
1904.....	117,100,000	218,300,000
1905.....	134,700,000	215,400,000
1906.....	128,500,000	214,000,000
1907.....	163,100,000	261,900,000
1908.....	178,500,000	285,100,000
1909.....	183,200,000	298,400,000
1910.....	201,600,000	327,600,000
1911.....	220,400,000	345,700,000
1912.....	222,900,000	352,500,000
1913.....	248,400,000	384,700,000
1914.....	265,800,000	400,500,000
1915.....	267,400,000	(1)

¹ Estimated.

² No figures available.

This shows that last year the production of crude petroleum in the United States amounted to 267,400,000 barrels. The production of gasoline in the United States last year amounted to about 41,000,000 barrels. It is estimated by the United States Geological Survey that the amount of crude petroleum remaining in the oil fields of the United States is 7,629,000,000 barrels.

The following table gives the production of the 10 principal oil fields of the United States up to and including the year 1915, and shows the present gasoline factor of each field and the percentage of exhaustion of each field:

Field.	Present gasoline factor (per cent).	Production including 1915 (millions of barrels).	Estimated percentage of exhaustion.
Appalachian.....	25	1,150	74
Lima-Indiana.....	12	438	93
Illinois.....	18	251	60
Mid-Continent.....	18	617	50
North Texas.....	20	44	41
Northwest Louisiana.....	20	58	47
Gulf Coast.....	3	136	79
Colorado.....	20	11	79
Wyoming.....	20	12	5
California.....	21	835	34

With the exception of the Appalachian field, the Lima-Indiana field, and the Colorado field, all of these oil fields in the United States have had their principal development since the year 1900.

Taking into account the productive possibilities of all pools demonstrated to contain oil, as well as the productive possibilities of untested areas in which the geologic evidence is promising, the following conservative estimates of the percentage of exhaustion and of the quantity of petroleum that remains available for commercial extraction has been made by the Bureau of Mines:

Field.	Estimated percentage of exhaustion of total oil content.	Petroleum remaining in fields (barrels).
Appalachian.....	70	481,000,000
Lima-Indiana.....	93	31,000,000
Illinois.....	51	244,000,000
Mid-Continent.....	25	1,874,000,000
North Texas.....	8	484,000,000
Northwest Louisiana.....	22	124,000,000
Gulf.....	13	1,500,000,000
Colorado.....	65	6,000,000
Wyoming and Montana.....	2	540,000,000
California.....	26	2,345,000,000
Total.....		7,629,000,000

At the present rate of consumption of gasoline and crude petroleum this estimated supply would last the United States for only about 26 years. Thus it is at once seen that a serious question confronts us to discover some other source of supply for motor spirits, or a substitute for gasoline.

Recent investigations that have been carried out on a small scale by Prof. Babcock, of the University of North Dakota, at the substation of the State School of Mines, at Hebron, N. Dak., disclose that the lignite coal fields of the United States contain an almost inexhaustible supply of light oils which can be used in internal-combustion engines as a substitute for gasoline.

It is estimated by the United States Geological Survey that the original supply of lignite coals in the United States is 1,087,514,400,000 short tons.

Lignite coal is found chiefly in the western part of the United States, in the territory extending from Texas, through Colorado, Wyoming, Montana, and the Dakotas. In this area there is a comparative scarcity of bituminous coal and a negligible quantity of anthracite coal.

The railroad industries requiring fuel of a high character are obliged to haul bituminous coal from the East or to employ petroleum or otherwise burn raw lignite. The main objections to the use of raw sub-bituminous coal—sometimes called black lignite—and the brown lignite are: It rapidly weathers and disintegrates; it fires spontaneously.

When used in locomotives it throws sparks for long distances, setting fire to crops and houses; moreover, much of the fuel is wasted under forced draft.

On the other hand, to transport bituminous coal and anthracite coal from the East is expensive.

While petroleum is satisfactory to the fuel users, it is becoming increasingly expensive, and it is exceedingly wasteful to use the raw oil as a fuel. Moreover, the resources, as I have called attention to, are becoming rapidly depleted, and the country must look for other sources of mineral oil than from petroleum wells.

Lignitic coals of the Western States vary widely in composition, containing moisture as mined ranging from 10 to 40 per cent, and ranging in appearance from the subbituminous coal or high-grade black lignite (which behaves very similar to bituminous coal) to the brown lignite, found in some parts of North Dakota and Texas, which is little more than peat.

Necessarily there is quite a variation in composition which requires careful investigation to determine what method will produce the best briquettes and the maximum quantity of by-products.

In 1909 a small experiment station was started by the College of Mining Engineering of the University of North Dakota, at Hebron, under the direction of Prof. E. J. Babcock, and the last few years a co-operation was effected on a very small scale with the Federal Bureau of Mines in order that the results might be published and thus be of benefit in the study and utilization of the lignites on the Government lands. At this experimental station, a description of which is given in Bulletin 80 of the Bureau of Mines, entitled "Economic Methods for Using Waste Lignites," briquettes have been made which have withstood handling and weathering for six months or more in the open air. There were made from lignite which would begin weathering and disintegrating in a few days. They have also been dried and burned in a type of furnace and tried on local railroad locomotives. It is reported that 1 ton of briquettes was equal to 1 ton of the best bituminous coal in keeping up steam, and equal to a ton of the best anthracite coal for use in furnaces and heating stoves.

The analysis of the briquettes is not unlike that of the Pocahontas coals, except for slightly higher ash. The briquettes are almost smokeless. The briquettes which have been made have employed tar for a binder, the tar being brought from the East. Petroleum residues would be available for the same purpose, and one line of investigation would be to determine the best binder in the various localities where lignite is produced. Some tar is produced in the carbonization of the lignite, but not sufficient to make the briquettes, and moreover it is probable that in most cases the tar derived would be of greater value on account of the by-products that could be produced than the ordinary tar of commerce.

In the carbonization of lignites, as demonstrated by Prof. Babcock, very important by-products are produced. These products vary widely with the lignite and with the degree to which carbonization is carried. The yield of gas is large for the partly dried lignite, reaching 10,000 to 12,000 cubic feet per ton, according to Prof. Babcock, which is about the same as that from a high-grade bituminous coal. Further, the evolution of gas is much more rapid. The residues may be briquetted. The gas has been tried in gas engines, and tests made in comparison with standard city gas, and it was found that the lignite gas was especially satisfactory. It is believed that there is a large field for the production of power through the establishment of large by-product plants.

Ammonia and tar are also produced in the carbonization of the coal. According to Prof. Babcock approximately 50 pounds of tar can be recovered from 1 ton of partly dried lignite. This tar is very high in paraffin ingredients. Prof. Babcock estimates that there is produced from a ton of dried lignite coal at different temperatures 5 to 6 gallons of crude lignite oils, 2 gallons of crude benzol, 2 to 3 gallons of hard tar, 50 to 60 pounds of ammonia sulphate, and 20 pounds of tar acids. Benzol is one of the compounds used in the manufacture of dyestuffs and explosives and is an excellent substitute for gasoline for use in internal-combustion engines. Prof. Babcock has also produced by distillation from lignites oil which has been found to be unusually well suited in the concentration of ore by the flotation process. It is evident to anyone who has given the subject consideration that our western lignite coals present a field for investigation which promises very much for the development of those parts of the country hitherto retarded by the lack of fuel in its various forms and also offers the greatest possibilities through the enormous amounts of lignite in substitution for petroleum, which is intrinsically too valuable to the country to permit its use as a fuel.

The investigation should be carried on in the most practical way possible to obtain information regarding the different lignite fields and how each can best be utilized. Such work will not necessarily have to be carried on by the establishment of local stations, but can be most economically and best done at the general stations in the West, where the materials may be shipped for testing.

One important use for lignite which deserves further development is that in the gas producer. This would be eminently of advantage where it is desired to obtain power at points where water was scarce and where the by-products would be of less value on account of difficulties and expense of transportation.

From the carbonization of lignite coal can be obtained unpurified gas that has a heating value of upward of 400 British thermal units per cubic foot. From 10,000 to 12,000 cubic feet of volatile gas is contained in each ton of ordinary western lignite coal.

The work that is proposed to be carried on, under authority of the amendment I have offered, is work that unquestionably should be done by the United States and is one of the most important steps that can, at this time, be taken in the way of industrial preparedness for our immediate and future needs in this country.

Prof. Babcock, who is the leading authority in this country on lignite coals, their composition, and the commercial and economic possibilities of these coals, has told me that the limited investigation that he has already carried on, which has disclosed the presence in these coals of high-grade tars, tar acids, including carbolic acid, and the basic elements used in the manufacture of aniline dyes and high explosives, has opened up marvelous economic and commercial possibilities that he feels certain wider and more complete investigations and experiments would show to be practical and would point the way for the establishment of manufacturing plants throughout the country to briquette this coal and to use the by-products from the briquetting process in different commercial activities.

In Germany during the present European war it is reported that large quantities of benzol are being produced from lignite coals for use in internal-combustion engines. The statistics of 1913 show that Germany in that year mined 87,000,000 tons of lignite, which was about the same as the amount of bituminous coal mined. Most of the lignite mined was briquetted and sold at practically the same price as briquettes of bituminous coal.

The tremendous importance of securing a large supply of a good substitute for gasoline such as benzol has proven to be is better understood when the fact is considered that in the United States to-day the horsepower of gasoline internal-combustion engines is twice that of the horsepower of all engines driven by steam.

As I have already stated, it is estimated that the total supply of lignite coal in the United States is 1,087,514,400,000 short tons. Now, from each ton of lignite in the process of briquetting, upward of 2 gallons of benzol can be secured, in addition to other valuable by-products, as tar, tar acids, ammonia compounds, etc.

While the estimated supply of crude petroleum in the ground in the United States is sufficient to supply the present rate of consumption in the United States for about 26 years, the quantity of benzol that can be secured from carbonization or distillation of our lignite coals would, at the present rate of consumption, meet our needs for use in all kinds of internal-combustion engines for more than a thousand years.

The lignite coal fields are widely distributed, being found in Alabama, Louisiana, Mississippi, Texas, Wyoming, North Dakota, South Dakota, Montana, Washington, and other States.

It is estimated that there are 697,921,200,000 short tons of lignite in North Dakota, 1,020,300,000 tons in South Dakota, and 23,000,000,000 tons in Texas.

There should be appropriated at this time at least \$100,000 to carry out a thorough and complete investigation of the commercial practicability of the use of lignite coal as a fuel in briquetted form and of the value of its by-products for use in internal-combustion engines, and for supplying the basic elements needed in the manufacture of aniline dyes and high explosives. But I have offered this amendment proposing an appropriation of \$50,000, with the hope that the chairman of the committee will accept this amendment as a compromise amount for the actual amount that is needed and which should be appropriated for this purpose.

The CHAIRMAN. The time of the gentleman has expired.

The Clerk read as follows:

Sec. 10. That each lease shall be for not to exceed 2,560 acres of land to be described by the legal subdivisions of the public-land surveys, if surveyed, to be described by the legal subdivisions of the public-land surveys; if unsurveyed, to be surveyed by the Government at the expense of the applicant for lease, in accordance with the laws, rules, and regulations governing the survey of public lands, and the lands leased shall be conforming to and taken in accordance with the legal subdivisions of such survey; deposits made to cover expense of surveys shall be deemed appropriated for that purpose; and any excess deposits may be repaid to the person or persons making such deposits or their legal representatives: *Provided*, That the land embraced in any one lease shall be in compact form, the length of which shall not exceed two and one-half times its width.

Mr. RAKER. Mr. Chairman, line 17, page 44, should be made to conform to the other provision. The words "or persons" should be stricken out and the words "associations or corporations" inserted.

The question was taken and the amendment was agreed to.

Mr. TAYLOR of Colorado. Mr. Chairman, also, in order to make it conform, the word "may" should be stricken out in line 16, and there should be inserted in lieu thereof the word "shall."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

GENERAL PROVISIONS APPLICABLE TO COAL, PHOSPHATE, OIL, AND GAS LEASES.

Sec. 19. That the Secretary of the Interior shall reserve and may exercise the authority to cancel any prospecting permit upon failure by the permittee to exercise due diligence in the prosecution of the prospecting work in accordance with the terms and conditions stated in the permit, and shall insert in every such permit issued under the provisions of this act appropriate provisions for its cancellation by him.

Mr. RAKER. Mr. Chairman, I desire to call the attention of the gentleman from Colorado [Mr. TAYLOR] as to whether or not "oil shale" should not be included in this subdivision after the word "oil"?

Mr. TAYLOR of Colorado. What language?

Mr. RAKER. In line 8.

Mr. TAYLOR of Colorado. I suppose it would be better; yes. I ask, Mr. Chairman, that after the word "oil" in the title to insert the words "oil shale."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. TAYLOR of Colorado:

Page 46, line 8, after the word "oil," insert the words "oil shale."

The CHAIRMAN. Without objection the amendment is agreed to.

There was no objection.

The Clerk read as follows:

Sec. 22. That no lease issued under the authority of this act shall be assigned or sublet, except with the consent of the Secretary of the Interior. The lessee may, in the discretion of the Secretary of the Interior, be permitted at any time to make written relinquishment of all rights under such a lease, and upon acceptance thereof be thereby relieved of all future obligations under said lease, and may with like consent, surrender any legal subdivision of the area included within the lease. Each lease shall contain provisions for the purpose of insuring the exercise of reasonable diligence, skill, and care in the operation of said property; a provision that such rules for the safety and welfare of the miners and for the prevention of undue waste as may be prescribed by said Secretary shall be observed, including a restriction of the workday to not exceeding eight hours in any one day for underground workers except in cases of emergency, provisions securing the workmen complete freedom of purchase, requiring the payment of wages at least twice a month in lawful money of the United States, and providing proper rules and regulations to insure the fair and just weighing or measurement of the coal mined by each miner, and such other provisions as he may deem necessary for the protection of the interests of the United States, for the prevention of monopoly, and for the safeguarding of the public welfare; *Provided*, That none of such provisions shall be in conflict with the laws of the State in which the leased property is situated.

Mr. RAKER. Mr. Chairman, the provisions found on page 49, from line 12 and down to and including the word "United States" in line 24, read as follows:

A provision that such rules for the safety and welfare of the miners and for the prevention of undue waste as may be prescribed by said Secretary shall be observed, including a restriction of the workday to not exceeding eight hours in any one day for underground workers except in cases of emergency, provisions securing the workmen complete freedom of purchase, requiring the payment of wages at least twice a month in lawful money of the United States, and providing proper rules and regulations to insure the fair and just weighing or measurement of the coal mined by each miner, and such other provisions as he may deem necessary for the protection of the interests of the United States.

They were inserted heretofore when the bill was under consideration on my motion, and the committee, when the matter was taken up this time, reinserted them, and I am very happy to know that there is no objection to the provisions, and I desire to say that they are wise ones and ought to be in a law of this kind.

Mr. NORTON. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the Record.

The CHAIRMAN. The gentleman from North Dakota asks unanimous consent to revise and extend his remarks in the Record. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Sec. 26. That all moneys received from royalties and rentals under the provisions of this act, excepting those from Alaska, shall be paid into, reserved, and appropriated as a part of the reclamation fund created by the act of Congress approved June 17, 1902, known as the reclamation act, but after use thereof in the construction of reclamation works and upon return to the reclamation fund of any such moneys in the manner provided by the reclamation act and acts amendatory thereof and supplemental thereto, 50 per cent of the amounts derived from such royalties and rentals so utilized in and returned to the reclamation fund shall be paid by the Secretary of the Treasury after the expiration of each fiscal year to the State within the boundaries of which the leased lands or deposits are or were located, said moneys to be used by such State or subdivisions thereof for the construction and maintenance of public roads or for the support of public schools or other public educational institutions, as the legislature of the State may direct; *Provided*, That any moneys which may accrue to the United States under the provisions of this act from lands within the naval petroleum reserves shall be deposited in the Treasury as "Miscellaneous receipts."

Mr. MONDELL. Mr. Chairman, I move to strike out the last word.

Some one ought to move to amend this section. I have in a way understood the attitude of the Committee on the Public Lands on a number of the provisions of this bill, but I have never been able to understand the attitude of anyone on a provision of a bill which would withhold from certain States hundreds of millions of dollars of taxable value without making any provision whatsoever for funds or resources to take the place of the sums lost through the withholding of these lands from sale and taxation.

If this bill becomes a law hundreds of thousands and millions of acres of the most valuable lands in various Western States, with all of their valuable mineral deposits, will be withheld from sale and disposition, and will never, so far as the land values are concerned, be available as a source of revenue.

Mr. RAKER. Will the gentleman yield right there?

Mr. MONDELL. I will.

Mr. RAKER. Is it not a fact that this bill provides that we are in shape to tax all the personal property and the output of the mine, both of coal and oil, so that, as a matter of fact, we will really get what taxable interest there is in this land, although the real title remains in the Government?

Mr. MONDELL. If that fact satisfies the gentleman from California, he is very easily satisfied. A proposition that lays a perpetual tax of at least one-eighth, and possibly one-fourth, for all time on the enormous mineral values of a State takes all those sums out of a State, leaving none of the land values from which royalties are derived as the subject of taxation. If in that situation he is satisfied, because an additional burden may be laid, he is very easily satisfied in matters of taxation.

Mr. RAKER. The gentleman must realize that we are not always satisfied with all the things that come and with all the provisions of this bill.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. Mr. Chairman, I ask for five minutes more. Mr. FERRIS. Does the gentleman think he ought to have five minutes more?

Mr. MONDELL. I think I ought to have 30 minutes, but I am going to be very reasonable and ask for only 5 minutes.

Mr. FERRIS. I think the gentleman has used so much time that he ought to retire without any more; but, Mr. Chairman, I ask unanimous consent that at the expiration of 10 minutes, 5 minutes to be controlled by the gentleman from Wyoming [Mr. MONDELL] and 5 minutes by a member of the committee, all debate upon this section and amendments thereto close.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent that at the expiration of 10 minutes—5 minutes to be controlled by the gentleman from Wyoming and 5 minutes by a member of the committee—all debate upon this section and amendments thereto close. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. It is my opinion that in all the history of legislation nothing of this kind has ever been proposed in a free, self-governing country. Let us assume, if you please, that a hundred years ago the great State of Pennsylvania had been deprived of the right to tax all of its coal and all of its oil land values, save and except as it could lay a tax on output, what would be the condition of that great Commonwealth today under those circumstances? Why, communities would be impoverished, roads would be impassable, schoolhouses would be of a character not fit for the education of the children of an enlightened community. And yet that is what it is proposed to do here, namely, to withhold for all time the right to tax all of the enormous values that are in these lands. And the communities are to be compelled to build roads, to educate their children, to maintain public order, without the right to tax these lands or their values. We are asking that in lieu of the taxes that would have been secured from these lands half of the royalties collected shall be paid to the States and communities which produced them. Is that unreasonable? What are we proposing to do with the money? Put it in the reclamation fund? Put it in the reclamation fund from California or Colorado or Wyoming in order to build reclamation projects in other States. That is a worthy purpose, but it will not help to build any schoolhouses, and it will not provide any roads, and it will not help to maintain public order in the communities from which these royalties have been derived. It is all very well for the communities that do not have any of these minerals to secure the benefit of all these royalties, but the States and communities that have produced them are entitled to at least enough of them to recompense them for the loss they suffer by reason of the fact that the lands are not to become private property and thus a source of public revenue through taxation.

Mr. CRAMTON. Is not the gentleman cheered up by the hope that eventually the reclamation fund will yield half of it to his State?

Mr. MONDELL. I am cheered by the fact that if the bill becomes a law in this shape the lash of public opinion will eventually compel the modification of this provision in order to do justice.

Within a week I have had letters from a western State asking if I approved that provision. Well, I have tried to be kind to my colleagues, and therefore I did not suggest that there were people nearer home that ought to be consulted about it. But there is no justification for a provision such as the bill contains. It ought never to have been in the bill. My understanding was when the bill was originally drawn that it was to provide that half of the proceeds of royalties was to remain in the States and community to reimburse and recompense them for the loss of taxing values, and the other half was to go to the reclamation fund. And that is what should have been done and what ought to be done now. I realize it is useless to offer an amendment to accomplish that purpose here and now, but I still hope it will be done before the bill becomes a law.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. FERRIS. Mr. Chairman, the speech of the gentleman from Wyoming [Mr. MONDELL] is as remarkable as it is monstrous. He knows, and the House knows, that the aim and the effort of the House has been and that the effort of the western Members has been to hold on to what they have and not to get more. I have had to help them to keep them from having those things taken away from them; and here the gentleman from Wyoming gets up, when he knows that he has gotten for his section every penny that the House will stand for, and arraigns those western Members on the Public Lands Committee. He gets up here and indicts the members of the committee from the West for not having done their full duty in protecting all this money and getting all this royalty dumped into some county schoolhouse district in his own district. The public have some rights here. The western members of my committee have been true to the West. They have fought so hard for the West in season and out that they have made it almost hideous for those of us who were trying to protect the Treasury.

The answer is that the Members on both sides have fought valiantly to get every cent of it. None of the western members on my committee have been recreant in their duty. The gentleman from Wyoming has no monopoly in trying to claim everything and get all the royalty placed out in his own State. He appeals here where there is no chance for relief. They appealed when there was a chance and they succeeded remarkably well. He comes in here when he knows that the members of the Committee on the Public Lands have performed more than anybody could anticipate that they could get, and then he issues the plaintive appeal, "Why do you not be more aggressive? Why do you not get more?" This does not seem fair to me. It does not seem square. It should not be tolerated or go unchallenged.

Mr. MONDELL. Would the gentleman like to have a provision like this apply to the oil and coal of his State?

Mr. FERRIS. In my State they take every cent of the oil and coal royalties and put them into the Treasury. We do not get a cent. We are not trying to bunco the country out of it and we are not trying to indict anybody who has by hard work gotten more than they are entitled to, as the gentleman is now doing.

This thing should not go on. The gentleman from Wyoming has made 20 or 30 speeches here to-day, and every one could be dissected and every one could be answered and found to be based on self-assertive motives and on politics, to advance his own ambition. There is no longer any sense in such a propaganda. The members of the Public Lands Committee shall not sit here and be abused and run over without somebody at least telling the truth.

Mr. MONDELL. Does the gentleman know how many gentlemen are here listening to his harangue?

Mr. FERRIS. You are here. I am speaking for your benefit.

Mr. MONDELL. The gentleman wants to conclude his bill this afternoon? I want to say to the gentleman that he can not be abusive here unless it is with a quorum present. "The gentleman from Wyoming" knows his rights upon this floor and he proposes to maintain them. There are things that could be said about this bill that I do not want to say, but that I am tempted to say.

Mr. FERRIS. I do not yield further to the gentleman. Yes; I will yield to the gentleman time to say anything he wants to about this bill. [Applause.]

This nonsense and foolishness has gone on long enough. There is an answer to every word that has been said by the gentleman from Wyoming. There is an answer, and I could move now and bring a quorum here, and he could move to strike out every line here, and he would not have votes enough to make a respectable appearance. He knows that the efforts that these western members of the Public Lands Committee have made here every year have been to help the West. He understands the efforts of the gentleman from Washington [Mr. LA FOLLETTE], and those of the gentleman from Oregon [Mr. SINNOTT], and those of the gentleman from Michigan [Mr. CRAMTON], and those of the gentleman from Colorado [Mr. TAYLOR], and those of the gentleman from California [Mr. RAKER], and the gentleman from New Mexico [Mr. WALTON], MAYS, TILMAN, CHURCH, and the rest. He knows all the members of this committee have been to do what? To get everything they could for the West, faithful and true. The gentleman from Wyoming, with his long experience, attempts to place his own neighbors and his own friends and his own colleagues on both his side and on this side in an unfair attitude. He has not offered any amendment. If he did, he would do well to get his own vote. It is not right; it is not fair. We ought not to proceed this way longer.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 27. That the Secretary of the Interior is authorized to prescribe necessary and proper rules and regulations and to do any and all things necessary to carry out and accomplish the purposes of this act: *Provided*, That nothing in this act shall be construed or held to affect the rights of the States or other local authority to exercise any rights which they may have to levy and collect taxes upon improvements, output of mines, or other rights, property, or assets of any lessee of the United States.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wyoming moves to strike out the last word.

Mr. MONDELL. Mr. Chairman, the gentleman from Oklahoma [Mr. FERRIS] ought to have been here long enough to have learned better than to lecture Members who are here trying to do their duty and expressing their opinion on legislation before this body. The gentleman has a way of getting restive when people do not entirely agree with him. He knows perfectly well—

Mr. RAKER. Mr. Chairman—

Mr. MONDELL. That he himself does not entirely approve some of the provisions contained in this bill, which he is trying to defend.

Mr. RAKER. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state his point of order. The gentleman from Wyoming will suspend until the point of order is made.

Mr. RAKER. Let us not tangle up this discussion—

Mr. MONDELL. Is it the gentleman's view that the gentleman from Oklahoma may proceed to lecture Members on this floor and then they be expected to sit quietly in their seats and tamely acquiesce?

Mr. TAYLOR of Colorado. Will the gentleman submit to a question?

The CHAIRMAN. Will the gentleman from Wyoming be kind enough to confine his remarks to the bill pending and to the section thereof?

Mr. MONDELL. Has anyone made that point of order, Mr. Chairman?

The CHAIRMAN. The gentleman from Colorado—

Mr. TAYLOR of Colorado. I asked the gentleman if he would yield for a question.

Mr. MONDELL. I desire to know whether anyone has made that point of order.

The CHAIRMAN. The Chair has made the suggestion in the spirit of harmony. If the gentleman does not desire to observe it, it is up to him. For what purpose does the gentleman from Colorado rise?

Mr. TAYLOR of Colorado. I rise to ask the gentleman from Wyoming to submit to a question.

The CHAIRMAN. Does the gentleman yield?

Mr. MONDELL. I yield.

Mr. TAYLOR of Colorado. I want to ask the gentleman from Wyoming if he does not himself think it is uncalled for, unwarranted, and unfair to us Members from the West, who are on this Public Lands Committee, for him to get up on this floor and say he does not think we have made a proper effort to protect the interests of our States, and proceed to recite how many acres of oil lands there are in each State, and how much money we are going to lose in royalties and taxes, when he fully knows that we have been constantly holding hearings and earnestly fighting for four months on this bill almost day after day, doing our utmost to protect the interests of the West, and we have secured the best possible bill that can be passed through this House, and I think everyone knows it?

Mr. CRAMTON. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman from Michigan will state his point of order.

Mr. CRAMTON. Under what rule is it permissible, after the gentleman from Wyoming has been admonished not to speak except upon the section, for the gentleman from Colorado to interrupt and speak on some other subject?

Mr. TAYLOR of Colorado. I did not interrupt the gentleman. He yielded to me for a question.

Mr. CRAMTON. He can not yield to him to speak out of order.

Mr. TAYLOR of Colorado. I am not speaking out of order. I am propounding an interrogatory after first and formally having obtained permission to do so.

The CHAIRMAN. The gentleman from Wyoming will resume.

Mr. MONDELL. I have good reason to have some feeling about this section. In the first place, when this bill was first introduced, I had promises as to what would be the provisions of this section, which promises did not pan out. I think that

gentlemen should make an earnest effort to secure for their States and communities a portion of these royalties which, under the provisions of the bill, may go to distant States. It is true the paragraph we are now considering provides that the States may tax the output of the mines and wells. No such legislation as that is necessary. The Congress can not give the States of the Union the right to tax mine output. The States have that right, and they have it to just as large a degree before this section goes into the bill as they have it after the section is placed in the bill. By a system of leases vast values are to be permanently withheld from taxation. Great communities will be built up which the people locally must provide for with schools and roads and the maintenance of order. These great values in royalties are to be taken from them. True, these values go to a group of Western States for a very useful purpose, that of reclamation. But of what benefit would it be to the people of a great oil-producing section of my State or your State or a great coal-producing section of our States, in which towns and cities were built up, in which roads and schools would be necessary—of what benefit would it be to them to have reclamation works built in some distant section? What consolation would it be to them to know that the moneys that have been taken from their community have built a reclamation project somewhere hundreds or a thousand miles away? There is no reason on earth why at least 50 per cent of these royalties should not be retained in and paid to the States and communities where they are produced. Even that, in my opinion, would not compensate the communities for the losses in the opportunity to tax these values which would be afforded were the lands sold and held in private ownership, in the way in which such lands and properties are held all over the country.

Mr. RAKER. Will the gentleman yield for a question?

Mr. MONDELL. I will.

Mr. RAKER. Before the reclamation act was approved, is it not a fact that all of the money received from the sale of public lands went into the general fund of the Treasury of the United States?

Mr. MONDELL. Five per cent of it went to the States in lieu of taxes.

Mr. RAKER. But outside of that?

Mr. MONDELL. That 5 per cent went to the States to reimburse them for the taxes they lost before the sale. And then the lands become taxable, and the communities are sustained on those taxes. But you are proposing to permanently hold from taxation millions of acres of the most valuable land in the West. No taxes can ever be levied on those land values. The only taxes you can secure from them are those levied on the improvements upon them, and possibly from a mine-output tax laid on top of this great burden of royalty. Now, it does not help the case to say that, having taken these royalties away and out of the State, you may lay an additional burden in the form of an output tax. In some States you can not do that because of a constitutional provision that one class of property shall not be taxed more heavily than another. Pennsylvania can and does lay a mine-output tax, but that is over and above a tax on the value of the lands and their mineral content. Under the provisions of this bill the States affected are to be perpetually deprived of the opportunity to tax the coal and oil lands now in public ownership. They should have at least half of the royalties to make up for those losses.

Mr. RAKER. Will the gentleman yield again?

Mr. MONDELL. I do.

Mr. RAKER. I am fearful that the gentleman is overlooking this important fact: In every oil well that is bored and every mine that is developed, when you get the oil out and the coal out, you have got nothing left. If it is private ownership you get nothing from taxation; but under this bill you get a certain amount for reclamation purposes, and then afterwards 50 per cent for our school and road purposes. I should like to see more of it go for that purpose, but we have struggled until we are black in the face to get that amount, and the gentleman remembers that—

Mr. MONDELL. I can not yield for a long speech.

Mr. RAKER. Let me make this statement.

Mr. MONDELL. I know the gentleman has struggled. I can not yield for a speech.

Mr. RAKER. Just one question.

Mr. MONDELL. If the gentleman is a member of the conference committee, he will have an opportunity to agree with the Senate on this proposition. The Senate have taken the right view of it. They have made the proper provision. So far the House committee has declined to do it.

The CHAIRMAN. The time of the gentleman from Wyoming has expired. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

Sec. 28. That the deposits of coal, phosphate, oil, oil shale, and gas, herein referred to, in lands valuable for such minerals shall be subject to disposition only in the form and manner provided in this act, except as to valid claims existing at date of the passage of this act and thereafter maintained in compliance with the laws under which initiated, which claims may be perfected under such laws: *Provided*, That any person who, at the time of any withdrawal order, was, or on January 1, 1918, a bona fide occupant or claimant of oil or gas lands not withdrawn from entry, and who had previously performed all acts under then existing laws necessary to valid locations thereof except to make discovery, and upon which discovery had not been made prior to the passage of this act, and who had performed a substantial amount of work of not less than \$500 on or for the benefit of each location if application therefor shall be made within three months from the passage of this act shall be entitled to prospecting permits thereon upon the same terms and conditions as other permits provided for in this act: *And provided further*, That such lands are not reserved for the use of the Navy: *Provided, however*, That no claimant who has been guilty of fraud in the location of any oil claim or gas-bearing lands shall be entitled to any of the benefits of this section: *And provided further*, That within one year after the passage of this act where any land has been included within an oil withdrawal or classification heretofore made after bona fide entry upon the same by a qualified homestead or desert-land entryman and where said entryman has complied with the requirements of the law relating to such entries up to the time when said withdrawal was made, said entryman or the patentee under such entry shall be given a preference right to a prospecting permit for the same under the same terms and conditions as prescribed in this act.

Mr. MONDELL. Mr. Chairman, I think we ought to have a quorum to consider this important piece of legislation.

Mr. TAYLOR of Colorado. Mr. Chairman, I want to offer an amendment.

Mr. RAKER. I move to strike out the last word.

Mr. MONDELL. Mr. Chairman, I make the point of order that no quorum is present.

Mr. ELSTON. Mr. Chairman, I want to say that we are within one page of finishing the bill. I realize the feelings of the gentleman from Wyoming, and if he had a way to express them without interfering with the immediate passage of the bill I would not suggest his refraining. If we delay the bill to-night in any way it may be thrown over for two weeks. I suggest to the gentleman, although he has proper cause for retaliation, that he let this thing go by. We are within 10 or 15 minutes of the passage of the bill, and I think it would be very hurtful to have it delayed and not passed to-night. I urge upon the gentleman the withdrawal of his point of order.

Mr. CRAMTON. I think if the gentleman from Wyoming will yield that he has up to this time demonstrated his desire for the passage of the bill, both from personal consideration and others, and I hope he will continue in this spirit and let us pass the bill.

The CHAIRMAN. Does the gentleman from Wyoming insist on the point of no quorum?

Mr. MONDELL. I will withdraw the point of order for the moment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Colorado [Mr. TAYLOR].

The Clerk read as follows:

Page 52, line 20, after the word "who," strike out the words "and perform a substantial amount of work of not less than \$500 on or for the benefit of each location," and insert in lieu thereof the words "has performed work or expended on or for the benefit of such location an amount equal in the aggregate to \$250 for each location."

Mr. TAYLOR of Colorado. Mr. Chairman, my thought about the matter is that there are a great many comparatively poor people in the West who have one or more locations on oil claims, and when they are required, as they are, to first make a valid location, and they do annual assessment work besides, \$250 is enough expenditure on each claim to insure good faith. I feel that this requirement of \$500 is an unnecessary hardship upon these people, and will not inure to the benefit of the Government at all, but have a tendency to inflict an unjust and unnecessary burden upon many good people, people of ordinary means, that need all of their money and can use it in a much better way toward the development. I think in the interest of legitimate discovery and honest development it would be beneficial to reduce the amount from \$500 to \$250, and I hope my amendment will be adopted.

Mr. CRAMTON. Mr. Chairman, the provision in question permits certain parties to have a preferred right to perfect the claim. The gentleman brings in a proposition that was not put before the committee. It reduces the requirement seriously.

Mr. TAYLOR of Colorado. It is merely a matter of cash expenditure, required to insure good faith. It does not require serious consideration to determine the fairness of this proposition.

Mr. CRAMTON. It cuts it in two and brings it nearly to zero.

Mr. TAYLOR of Colorado. Two hundred and fifty dollars for a poor man is a good deal of money to require him to expend, usually uselessly, just to demonstrate his good faith.

Mr. CRAMTON. The gentleman will be a member of the committee of conference, and the conferees will have full powers in the matter.

Mr. TAYLOR of Colorado. I do not desire to take up much time or to get into any extended argument or discussion; but I do feel that this sum ought to be cut down at least one-half, and I trust it will be.

Mr. MONDELL. Mr. Chairman, I hope the amendment offered by the gentleman from Colorado will be adopted. I think it is a very proper amendment, and it still leaves a very considerable requirement, a sufficient requirement, to guarantee good faith on the part of the locator. Some claims have not been held for a very great length of time, but where the locator has gone on in good faith and spent the amount of money which the amendment calls for, it is sufficient. All that we do in this case is to give the locator a right to lease. The only advantage he has, he does not have to lease on a competitive basis, but leases on a fixed royalty. It is not much we are giving him at best. Certainly if he has shown his good faith he ought to be given that opportunity. The entire section restricts very greatly the rights and opportunities of those who have located, gone on the land in good faith, and the amendment of the gentleman from Colorado will make it possible for some folks to secure this opportunity to lease who would not otherwise have it. Surely the man who has located, who has made some expenditure on the land, is more entitled to a lease than some stranger who had never shown his good faith in regard to it. The amendment still leaves the section far from satisfactory, but it does help a little.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado.

The question was taken, and the amendment was agreed to.

Mr. RAKER. Mr. Chairman, I move to strike out the last word. This provision, particularly lines 6 to 12, with the addition of the words "oil shales," has been one of the special provisions in the bill that has been given more careful consideration by the committee, and especially by a subcommittee consisting of Senator LENROOT and myself, who spent much time on it. The committee had many conferences, and it is one vital to legislation of this kind, because it repeals all the laws relating to the subject in hand. The purpose was to protect those who had valid claims. I believe that this repealing clause does that, particularly now those newcomers who were really protected, but there could have been a withdrawal made, and therefore the committee has added this proviso in the way of a saving clause to the interests of those who have gone onto the public domain and expended a certain amount of work and money, who have done everything except the mere fact of discovery. If this bill passes, finding then a well of 1,000 feet without oil, they will be protected, and they can complete their rights by taking out a permit, so that no one will be injured, and it will finally wind up the features in regard to changing the system from patents to leases, and settle the great question that has been before the public for so many years. I believe both will turn out successfully.

Mr. LA FOLLETTE. Mr. Chairman, I offer the following amendment: After the word "or," on page 53, line 11, insert the words "his assigns or successors in interest."

Mr. TAYLOR of Colorado. Mr. Chairman, I think that is all right.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 53, line 11, after the word "or," insert the words "his assigns or successors in interest."

Mr. RAKER. Of course, this is the way it came out of the committee and I was in favor of it and think it ought to be done, but I am wondering whether or not the committee desires to allow these homesteaders now to transfer their claims to the various oil companies and let them obtain the lease.

Mr. LA FOLLETTE. Mr. Chairman, I ask unanimous consent to modify the amendment, to insert those words after the word "entryman."

The CHAIRMAN. The gentleman from Washington asks unanimous consent to modify his amendment. Is there objection?

There was no objection.

Mr. FERRIS. Mr. Chairman, let me inquire of the gentleman this: Does not the gentleman think, if he does that at all, and if it is advisable to do that at all, there ought to be a provision that the assignments must be made prior to January 1, so that there might not be a lot of hasty assignments at the last?

Mr. LA FOLLETTE. I would not object to that.

Mr. FERRIS. The gentleman from Washington knows, and we all know who had to do with this matter in the committee, that there was great deal of claim jumping and assigning and

grabbing of land, even after this bill was introduced and activities began during this year. I do not think we ought to encourage that or afford an opportunity for them to do that.

Mr. LA FOLLETTE. If the gentleman will offer that amendment to complete this I have no objection.

Mr. FERRIS. I wish the gentleman would withdraw that and let us look at it more. It can be treated in conference. It is certainly proper for any successor in interest who gets it in the regular way to have this right accorded to him, but if it develops that the Standard Oil Co. or some other oil company are sending around a lot of dummies I know the gentleman would object to it.

Mr. LA FOLLETTE. That provision is so fair that I hate to have this go over to the Senate leaving a fair provision like that out of the bill.

Mr. FERRIS. I do not controvert what the gentleman says. It does look fair on its face, although I can see where there might be abuses. The gentleman will be upon the conference committee and he can raise the question there.

Mr. LA FOLLETTE. I shall not insist upon it.

Mr. RAKER. Mr. Chairman, will the gentleman yield?

Mr. LA FOLLETTE. I yield to the gentleman from California.

Mr. RAKER. It was not considered in committee, and I want to call the gentleman's attention—

Mr. LA FOLLETTE. The gentleman will excuse me if I counter with another question. Were all of the amendments the gentleman offered here to-day considered in committee? If they were, then I shall grant he has asked a pertinent inquiry.

Mr. RAKER. I can not take time to answer that question.

Mr. LA FOLLETTE. No, I would not either, if I were the gentleman.

Mr. RAKER. Let us get to the meat of it. The gentleman, as a western man, knows that this can not apply to a homestead entryman. Therefore you are legislating now that a homestead entryman may assign his rights before he gets a patent, which can not be done. You authorize a man who has a homestead under which there is oil or coal to transfer his homestead interest.

Mr. LA FOLLETTE. Mr. Chairman, I will say in answer to the gentleman that that is simply talk and does not have any effect in fact. This homestead entryman might die, his assigns would be his heirs, and they would have the right to do this.

Mr. RAKER. His heirs or assigns could not assign to any of the land until a patent was issued or unless it was approved and final certificate issued.

Mr. FERRIS. Will not the gentleman agree to withdraw that and let us take it up in conference?

Mr. LA FOLLETTE. I will agree, but at the same time I think it should be fixed right here in this bill.

The CHAIRMAN. Does the gentleman from Washington withdraw the amendment?

Mr. LA FOLLETTE. I do.

Mr. KEATING. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 53, lines 2 and 3, strike out the words "in the location of any oil claims or gas-bearing land," and in lieu thereof insert "bad faith or wrongdoing in respect to any such location from claims asserted thereunder."

Mr. KEATING. Mr. Chairman, the object of this amendment, as is apparent on its face, is to strengthen the language of this section. If you will turn to section 12, page 41, lines 7 to 10, you will find this proviso:

No person who has been guilty of any fraud, or who had knowledge or reasonable ground to know of any fraud, or who has not acted honestly and in good faith, shall be entitled to a lease under the provisions of this act.

The section we are now considering is a relief section. I think those who seek relief under this act should come with clean hands, and therefore I suggest that this provision be strengthened so that anyone who can not come with clean hands can not secure relief. I hope I can secure favorable consideration for the suggestion from the members of the committee, because I have no desire to throw a monkey wrench into this very admirable machine we have here. I would like to have the attention of the chairman of the committee, if I can, and get his views as to the language of this amendment.

Mr. FERRIS. I confess it looks to me, as I understand it, it strengthens and makes better the language. I may be in error and I would not want to accept it on the part of the committee, because it has not been considered by it, but personally I think it is better.

Mr. KEATING. It is practically the language you have on page 41, lines 7 to 10.

Mr. FERRIS. It is suggested to me by the gentleman from California [Mr. RAKER], as he sat in his seat, that the words "bad faith and wrongdoing" might make it more restrictive to oil people and might allow a lease to be forfeited clear outside the statute. If that is true, might not the gentleman well have a care?

Mr. ELSTON. Mr. Chairman, I would like to have the amendment again read.

Mr. KEATING. Mr. Chairman, I will yield for the purpose of having the amendment read.

The CHAIRMAN. The gentleman from California desires to have the amendment again read. The Clerk will report the amendment.

The amendment was again reported.

Mr. KEATING. Mr. Chairman, the sole purpose of the amendment is to strengthen the language of the section and to make it clear that when Congress enacts a relief measure that no one who can not come forward with clean hands shall receive the benefits of that relief, and I submit that is as far as Congress should go.

Mr. ELSTON. All the gentleman adds are the words "bad faith," and what else?

Mr. KEATING. "Or wrongdoing."

Mr. ELSTON. As applied to his application or any act?

Mr. KEATING. Made in connection with the location.

Mr. SINNOTT and Mr. RAKER rose.

Mr. RAKER. Will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Oregon [Mr. SINNOTT].

Mr. SINNOTT. Has the gentleman any definition of the word "wrongdoing" from a legal standpoint? Is not that a very indefinite word to put into a measure of this kind?

Mr. KEATING. If the gentleman will turn to page 41, lines 7 to 10, he will find that it is provided that an entryman who has not "acted honestly" or is "guilty of bad faith" shall not be entitled to a lease under this act. "Wrongdoing" is as easily construed as "acted honestly."

Mr. SINNOTT. The phrase "wrongdoing" is not there.

Mr. KEATING. It is not.

Mr. SINNOTT. It is an indefinite phrase to put into an act.

Mr. ELSTON. Would the gentleman have any objection to using the same phraseology that is used in previous pages in respect to other relief sections?

Mr. KEATING. I believe the language I suggest is stronger.

Mr. ELSTON. It is very indefinite as to its meaning.

Mr. KEATING. You insert in one place "unless he acts in good faith," and in the other "if he acts in bad faith." One is surely as clear as the other.

Mr. ELSTON. I think the gentleman would not say that the word "wrongdoing" is ordinarily found in statutes intended to cover the point this clause does.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KEATING. I would like to have three minutes more.

The CHAIRMAN. The gentleman from Colorado asks unanimous consent for three minutes more. Is there objection?

Mr. FERRIS. Reserving the right to object, I ask unanimous consent that at the close of the three minutes all debate be closed on this paragraph and all amendments thereto.

Mr. MONDELL. I trust the gentleman will modify that so as to apply only to the amendment.

Mr. FERRIS. All right. Only to the amendment.

The CHAIRMAN. The gentleman from Oklahoma [Mr. FERRIS] asks unanimous consent that at the expiration of the three minutes, to be used by the gentleman from Colorado [Mr. KEATING], all debate on this amendment close. Is there objection? [After a pause.] The Chair hears none.

Mr. KEATING. Mr. Chairman, if it is agreeable to the members of the committee, as suggested by the gentleman from California [Mr. ELSTON], I will substitute the language used on page 41 in connection with section 12. Is that agreeable to the chairman of the committee?

Mr. FERRIS. I have no objection to it.

Mr. KEATING. Then, Mr. Chairman, I ask unanimous consent to withdraw my amendment and offer the words appearing from lines 7 to 10, page 41.

The CHAIRMAN. The gentleman from Colorado asks unanimous consent to withdraw his amendment as first proposed, and substitute in place thereof that which the Clerk will read.

The Clerk read as follows:

Amendment offered by Mr. KEATING: Page 53, line 1, after the word "That," strike out all down to and including the word "section," in line 4, and insert in lieu thereof the following:

"No person who has been guilty of any fraud, or who had knowledge or reasonable grounds to know of any fraud, or who has not acted honestly and in good faith, shall be entitled to a lease under the provisions of this act."

Mr. FERRIS. I hope the gentleman will modify that and use the word "claimant" instead of "person," so that it may include corporations.

Mr. KEATING. I accept that.

Mr. LA FOLLETTE. I suggest, as this is dealing with another subject, we should strike out "in this act" and put in "in this section."

Mr. RAKER. The Clerk could read down, and in line 3 put in Mr. KEATING's amendment.

Mr. KEATING. I will adopt the suggestion.

The CHAIRMAN. With the consent of the gentleman from Colorado, the proponent of the amendment, and without objection, the alterations will be made.

The Clerk will report the amendment as altered.

The Clerk read as follows:

Amendment offered by Mr. KEATING: Page 53, line 1, after the word "That," strike out all down to and including the word "section," in line 4, and insert the following: "No claimant who has been guilty of any fraud, or who had knowledge or reasonable grounds to know of any fraud, or has not acted honestly and in good faith, shall be entitled to any of the benefits of the section."

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Colorado [Mr. KEATING].

The question was taken, and the amendment was agreed to.

Mr. KEATING. Mr. Chairman, I want to submit another amendment.

The CHAIRMAN. The gentleman from Colorado submits an additional amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KEATING: Page 52, lines 24 and 25, strike out the words "thereon upon the same terms and conditions as other permits" and in lieu thereof insert the words "or leases thereon upon not less than one-eighth royalty and except as otherwise provided, upon the same terms as other permits or leases."

Mr. FERRIS. I hope the gentleman will not insist on that amendment. I am afraid it is a little far-reaching and a little too ponderous and cumbersome to settle in an amendment. It may be all right.

Mr. KEATING. I shall not insist on it if the chairman takes that attitude; but I want to say a word on the proposition. I hope the chairman and the conferees will have an opportunity to consider the matter in conference, because I think in justice to the men who are endeavoring to develop these oil lands some such provision should be put in.

For example, under the provisions of this act you can not grant to prospectors permits on a geological structure where oil has been discovered. Now, I have in mind such a structure in the State of Wyoming, which is some 20 miles long and some 6 miles wide. I am informed there is just one producing well in that entire area. There are a number of people claiming land on that structure. Under some provisions of this bill they would apparently be entitled to get prospectors' permits, but I am confident the Interior Department will rule that other provisions of the bill will prevent the issuance of prospectors' permits on a geological structure where oil has been discovered.

If that construction be given to the bill, then it will be impossible for such entrymen to get any relief. If we adopt the amendment I have suggested, it will be possible for the entryman who has acted in good faith, who has complied with the law in so far as it was possible for him to comply with the law, and who under the existing provisions would be entitled to a prospector's permit, to get a lease or a preferential right to a lease; and I think he is entitled to that, in view of the fact that he has acted in good faith; that he has expended his money; and that, except for the peculiar conditions existing where his land is located, he would be entitled to a prospector's permit. If he could secure a prospector's permit, he would, as a matter of course, secure the lease.

Mr. MONDELL. Mr. Chairman, will the gentleman yield to me?

Mr. KEATING. I will.

Mr. MONDELL. What about this suggestion? It would seem to me that it would hardly be probable that the department would hold as the gentleman suggested with regard to the granting of permits under this section. It provides that they shall have permits. The fact that elsewhere it is provided that permits shall not in general be granted in developed territory does not affect this provision. But assuming that were true, and that it is wise to amend, what about this feature of the situation? The amendment provides that parties shall be entitled to leases at one-eighth royalty, and, except as otherwise provided, on the same terms as other leases. Now, all leases provided for in this bill are on and after bidding. Does not your amendment bring these leases into the same category as all other leases? That is, that the parties would have to subject themselves to competition? That is a question that should be considered.

Mr. KEATING. I do not think so. However, I commend the suggestion to the chairman of the committee and the conferees.

The CHAIRMAN. The time of the gentleman from Colorado has expired. Is the amendment withdrawn?

Mr. KEATING. I will withdraw the amendment.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

ALASKA OIL PROVISIO.

SEC. 29. That any bona fide occupant or claimant of oil or gas bearing lands in the Territory of Alaska, or his successors or assigns, who prior to withdrawal had complied otherwise with the requirements of the mining laws, but had made no discovery of oil or gas in wells, and who prior to withdrawal had made substantial improvements on or for each location or had prior to the passage of this act expended not less than \$500 in improvements on or for each location shall be entitled, upon relinquishment or surrender to the United States within one year from the date of this act or within six months after final denial or withdrawal of application for patent, to a prospecting permit or permits, lease or leases, under this act covering such lands, not exceeding five permits or leases in number and not exceeding an aggregate of 1,280 acres in each: *Provided*, That leases issued in Alaska under this act, whether as a result of prospecting permits or otherwise, shall be upon such rental and royalties as shall be fixed by the Secretary of the Interior and specified in the lease and be subject to readjustment at the end of each 10-year period of the lease: *Provided further*, That for the purpose of encouraging the production of petroleum products in Alaska the Secretary may, in his discretion, waive the payment of any rental or royalty not exceeding the first five years of any lease.

Mr. ELSTON. Mr. Chairman, I suggest an amendment on page 34, line 16, to harmonize the provisions in that section with the provisions of the section on page 46, where there are granted not to exceed three leases to any one claimant in any one State.

Now, in order that this privilege of three leases may be availed of, I believe it ought to be made clear that not to exceed three prospecting permits in any one State should be granted. I believe that is a reasonable construction, and I believe it was the intent of the committee. Accordingly I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from California.

The Clerk read as follows:

Amendment offered by Mr. ELSTON: Page 34, line 16, after the word "permit," insert "not exceeding three in any one State or one within the geologic structure of a producing oil or gas field."

Mr. RAKER. I reserve the right to object.

Mr. STAFFORD. Reserve a point of order. That is the point.

Mr. ELSTON. The proposed amendment provides only that the Secretary of the Interior has the discretion to grant any number from one to three.

Mr. FERRIS. Mr. Chairman, consent has not been given to return to that section.

Mr. ELSTON. I thought that consent had been given. I assumed that was the effect of my colloquy with the gentleman some time back.

The CHAIRMAN. Consent has not been asked for.

Mr. ELSTON. Mr. Chairman, I ask unanimous consent that we may return to page 34, line 16, for the purpose of offering my amendment.

The CHAIRMAN. The gentleman from California asks unanimous consent to return to page 34, line 16, for the consideration of the amendment which he has submitted. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment.

Mr. ELSTON. This provides that not more than three prospecting permits shall be granted to any one claimant at one time in any State.

Mr. FERRIS. Let us have the amendment reported.

The CHAIRMAN. If the gentlemen will subside for a moment, the Clerk will report the amendment. The Chair has already directed the Clerk to report the amendment.

The Clerk read as follows:

Amendment offered by Mr. ELSTON: Page 34, line 16, after the word "permit," insert "not exceeding three in any one State or one within the geologic structure of a producing oil or gas field."

Mr. FERRIS. Mr. Chairman, I do not think I can consent to go back to that amendment. The gentleman may be right in stating that that was the intent of the committee, but I do not recall that the committee agreed to allow three permits to anyone in every State. I think you are doing more than the committee wanted to do and more than we ought to do.

Mr. ELSTON. I have some comments to make on that if I may have my five minutes.

Mr. FERRIS. Of course there is no five-minute privilege pending a request for unanimous consent.

The CHAIRMAN. Unanimous consent must first be obtained.

Mr. FERRIS. I will reserve my objection and let the gentleman have his time.

Mr. ELSTON. The only reason I suggested this amendment is to make it consistent with the provisions on page 46, by

which not to exceed three leases may be granted in any one State. You can not get your lease without having had a prospecting permit theretofore, and I assume that there is not more than one lease granted under each prospecting permit. So, therefore, the implication of this language is that three prospecting permits may be in existence at the same time for each State.

You can not get away from the logic of that situation, and I assume that we ought to fill the privilege with regard to three leases by giving three prospecting permits to each State. If the gentleman is going to take another attitude on that, he might just as well go back to page 46 and reform the language.

Mr. FERRIS. There is nothing on page 46 that allows three permits in each State.

Mr. ELSTON. No; but it allows three leases in each State.

Mr. FERRIS. That is a very different thing.

Mr. ELSTON. How are you going to get three simultaneous leases to one man in one State without his having had three prospecting permits theretofore?

Mr. FERRIS. I think I can answer the gentleman. The prospecting permit is for 2,560 acres. When the prospector gets a lease he gets a lease on only one-fourth of it, or 640 acres. If he gets three leases out of the 2,560 acres—or if they were remnant tracts he might have three leases—in any event he can not go beyond the 2,560 acres.

Mr. ELSTON. I will say to the gentleman that I think that is sophistical. The gentleman knows very well that if you have one prospecting permit you will make one designation of what you want and put it up to the Secretary in one application, which will be disposed of in one lease.

Mr. FERRIS. That is 640 acres.

Mr. ELSTON. The gentleman's argument is that one prospecting permit will be used on three different occasions for three different leases. I can not accept the gentleman's argument in that respect. I think we had better go back to page 46 and make that language clear, because I am sure it was put in there in pursuance of the understanding that not to exceed three prospecting permits should be had in each State.

Mr. FERRIS. I am perfectly sure I never agreed in the committee to three prospecting permits in each of the States, and I am perfectly sure that the committee did not agree to three prospecting permits in each State. I feel I must object to returning now. Of course, if I am in error it can be corrected in conference. I think this too important to agree to it so hurriedly. I, of course, do not desire to do the gentleman from California any injustice by cutting him off.

Mr. LA FOLLETTE. I should like to make an observation to the chairman of the committee.

Mr. FERRIS. I will reserve the objection for the purpose of allowing the gentleman to make his statement.

Mr. LA FOLLETTE. I want to recall the gentleman's mind to the fact that we discussed this matter fully and agreed to three permits, and the proof of it is obvious right here in section 9. After we had discussed it and agreed on three prospecting permits we made a proviso that there should be five permits in Alaska. The gentleman from Alaska [Mr. SULZER], after we had agreed that there should be three permits in each State, asked for an exception for Alaska on account of the large area of country and the different conditions up there, and we put in a proviso as follows:

Provided, That in the Territory of Alaska prospecting permits not more than five in number shall be granted.

Mr. FERRIS. But wait a minute—

Mr. LA FOLLETTE. We had already agreed on three within each State.

Mr. FERRIS. Five permits in the entire area of Alaska is a very different proposition from three permits in each of the States of the Union. The Elston amendment provides three for every State. I do not believe that ought to be done.

Mr. LA FOLLETTE. We had already agreed on three for each State, and gave five to Alaska.

Mr. FERRIS. The amendment of the gentleman from California would give three permits for each State, or 3 times 48, if there happened to be public lands in that many States in the Union. This is not what the committee intended. I do not think it ought to be done. A few companies would get it all.

SEVERAL MEMBERS. Regular order!

The CHAIRMAN. The regular order is demanded. The regular order is, is there objection?

Mr. FERRIS. For the present I feel it my duty to object.

The CHAIRMAN. Objection is made, and the committee can not return to page 46.

Mr. SULZER. Mr. Chairman, I offer the following amendment: Page 54, line 10, strike out the word "ten" and insert the word "twenty" in lieu thereof. All the rest of the section

of the bill provides for leasing for a 20-year period, and this will simply conform to the remainder of the bill.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SULZER: Page 54, line 10, after the word "each," strike out the word "ten" and insert in lieu thereof the word "twenty."

Mr. RAKER. Where does the gentleman get that? This is the readjustment period.

Mr. SULZER. We ought to have the same period in all the leases in the bill.

Mr. FERRIS. On the phosphate and oil we make it indeterminate, not exceeding 20 years, and each 10 years thereafter. Here we make it in the Alaskan provision 10 years. They are entitled to 20 years.

Mr. RAKER. If they are entitled to it, they ought to have it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alaska.

The amendment was considered and agreed to.

Mr. SULZER. Mr. Chairman, I offer the following amendment: On page 53, line 23, strike out the figures "500" and insert "250." That is only to conform with the amendment which was adopted a little while ago on page 52.

The Clerk read as follows:

Page 53, line 23, after the word "than," to strike out the figures "500" and insert in lieu thereof "250."

The amendment was agreed to.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent that at the expiration of five minutes the debate on this section be closed.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MONDELL. Mr. Chairman, the proviso of section 28, if liberally construed, will afford a considerable amount of relief for locators of oil lands in the West—not as much relief as they are entitled to, because in many cases they should be given patents. I think that, at any rate, a larger leasehold than is proposed in this bill should be granted and hope the committee of conference will be disposed to modify these provisions as I have suggested. I hope the gentlemen who will be members of the conference committee will have this particular matter in mind in conference. Those who are entitled to the benefits of this section are those who had made locations prior to a withdrawal or prior to January 1, 1918. At the time the committee made their report it was thought proper to limit the benefits of this proviso to those who had made their locations before the 1st of January; but people in the public-land States are not all of them keeping track of what Congress is doing. They are going on locating and developing under the land laws all the time and there have been many bona fide locations made since the 1st of January. Where such locations otherwise come within the provisions of the section there is no reason why these people should not receive its benefit.

If there was any hope of further liberalizing the provisions of this section, I should certainly offer amendments to accomplish that purpose. It is very clear, however, that under prevailing conditions no amendment greatly modifying the section can be secured. In fact, it would not help the situation to attempt any important amendments.

Therefore I trust that in conference the provisions of this section will be made to apply to those who have made locations at any time up to the time of the passage of the bill rather than the 1st of January. With that amendment, the proviso as it has been amended on the floor will be very helpful to a great many locators. If it can be further liberalized so as to grant a patent under certain conditions, it will more nearly do justice by these locators.

Mr. FERRIS. Mr. Chairman, I move that the committee rise and report the bill S. 2812 with a favorable recommendation, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. DEWALT, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill S. 2812 to encourage and promote the mining of coal, phosphate, oil, gas, and sodium on the public domain, and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. FERRIS. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. FERRIS. What happened in the committee is this: The committee struck out all of the Senate bill and put in the House bill as a substitute. I asked unanimous consent to substitute

the House bill and have it considered as an original bill and amended section by section. Is the procedure now to move that the one amendment be agreed to which is a complete substitute?

Mr. STAFFORD. The gentleman realizes that we had an understanding when the bill was referred to the Committee of the Whole House on the state of the Union; that the bill should be considered as an original House bill, and therefore if anybody demands a separate vote on any amendment it will be in order.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

There was no demand for a separate vote.

The amendments were agreed to.

Mr. FERRIS. Should not the motion be to adopt the amendment which is an entire substitute for the Senate bill 2812?

The SPEAKER. The question is on adopting the House bill with the various amendments as a substitute to the Senate bill.

The question was taken, and it was decided in the affirmative.

The SPEAKER. The question is on the third reading of the amended Senate bill.

The amended Senate bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. FERRIS, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. CRAMTON. Mr. Speaker, I desired to amend the title.

Mr. FERRIS. The gentleman from Michigan has a suggestion in regard to the title which I think a good one, and I ask unanimous consent that he be allowed to present it.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to vacate the proceedings by which the bill was laid on the table. Is there objection?

There was no objection.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to have the title amended so as to read: "An act to authorize exploration for and disposition of coal, phosphate, oil and oil shales, or gas on the public domain."

The SPEAKER. Without objection, the title will be so amended.

There was no objection.

Mr. FERRIS. Mr. Speaker, I renew my motion to reconsider the vote by which the bill was passed and to lay that motion on the table.

The SPEAKER. Without objection, it will be so ordered.

There was no objection.

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted to Mr. LARSEN for one week on account of attending the annual meeting of the board of trustees of the Georgia State Normal School.

ORDER OF BUSINESS.

Mr. FERRIS. Mr. Speaker, the majority leader [Mr. KITCHIN] has been called to the Senate, and he asked me to announce to the House that on Monday next the urgent deficiency appropriation bill will be called up, and that on Tuesday the Army appropriation bill will be taken up.

Mr. COOPER of Wisconsin. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COOPER of Wisconsin. Was there not an understanding by unanimous consent that the pension bills would be called up on Monday?

Mr. STAFFORD. Mr. Speaker, I desire also to submit an inquiry, and that is whether the order which was entered by unanimous consent to consider pension bills would not make those pension bills in order on Monday.

The SPEAKER. The Chair is inclined to think that it would.

Mr. COOPER of Wisconsin. It is my impression that there was unanimous-consent agreement in respect to taking up the pension bills.

Mr. RUSSELL. There was a unanimous-consent agreement to take up the pension bills following the disposition of the oil bill.

The SPEAKER. The Clerk informs the Chair that the order was that the pension bills were to follow the disposition of the oil bill.

Mr. RUSSELL. And if we adjourn now those bills will be in order on Monday.

The SPEAKER. They would.

Mr. STAFFORD. Mr. Speaker, I make a point of order that there is no quorum present.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 8764. An act to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary of the admission of the State of Illinois into the Union.

ADJOURNMENT.

Mr. FERRIS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 10 minutes p. m.) the House adjourned until Monday, May 27, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior submitting an estimate of appropriation to pay the claim of the Brennan Construction Co. for balance due on the construction of the Senate Office Building under contract dated December 2, 1905 (H. Doc. No. 1132); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting substitute estimates of appropriation for the support of the Quartermaster Corps of the Army for the fiscal year 1919 (H. Doc. No. 1133); to the Committee on Military Affairs and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. SMITH of Idaho, from the Committee on the Public Lands, to which was referred the bill (S. 935) for the relief of settlers on certain railroad lands in Montana, reported the same without amendment, accompanied by a report (No. 606), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. KAHN: A bill (H. R. 12258) to protect the military and naval forces of the United States against venereal diseases, and for other purposes; to the Committee on Military Affairs.

By Mr. SHERLEY: A bill (H. R. 12280) making appropriations to supply additional urgent deficiencies in appropriations for the fiscal year ending June 30, 1918, on account of war expenses, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. DENT: A bill (H. R. 12281) making appropriations for the support of the Army for the fiscal year ending June 30, 1919; to the Committee of the Whole House on the state of the Union.

By Mr. SHERLEY: A bill (H. R. 12282) designating the American mountain laurel the national flower of the United States; to the Committee on the Library.

By Mr. HUSTED: A bill (H. R. 12283) exempting the compensation, pay, and emoluments of officers and enlisted men of the Army and Navy from the provisions of the income-tax law; to the Committee on Ways and Means.

By Mr. CROSSER: A bill (H. R. 12284) relating to liability of employers and assuring compensation for injuries or death of certain employees in the District of Columbia, providing for an industrial commission in said District and defining its duties, and providing for an appropriation to carry out the provisions of this act; to the Committee on the District of Columbia.

By Mr. DENT: Joint resolution (H. J. Res. 294) providing for the time of application of the method of determining quotas of forces to be raised for military service as authorized in a joint resolution approved May 16, 1918; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AUSTIN: A bill (H. R. 12285) granting a pension to David Gregg; to the Committee on Pensions.

By Mr. BOWERS: A bill (H. R. 12286) granting an increase of pension to John E. Hutzler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12287) granting an increase of pension to William C. Clendening; to the Committee on Invalid Pensions.

By Mr. DYER: A bill (H. R. 12288) granting a pension to Frances H. Edgar Rice; to the Committee on Invalid Pensions.

By Mr. FIELDS: A bill (H. R. 12289) granting an increase of pension to Isaac E. Pearce; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Kentucky: A bill (H. R. 12290) granting an increase of pension to Henry P. Logsdon; to the Committee on Pensions.

By Mr. KAHN: A bill (H. R. 12291) granting a pension to George Cosseboom; to the Committee on Pensions.

By Mr. MCKINLEY: A bill (H. R. 12292) granting a pension to George W. Robinson; to the Committee on Pensions.

By Mr. PURNELL: A bill (H. R. 12293) granting a pension to Mary F. Conyers; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. DOOLITTLE: Petition of the Congregational and Methodist Churches of Carbondale and of a mass meeting of the churches of Burlingame, Kans., favoring war-time prohibition; to the Committee on the Judiciary.

By Mr. FOCHT: Memorial of the executive committee of the Real Estate Brokers' Association of Washington, D. C., asking that Congress make a fair investigation of the charges made against the real estate owners and agents of the District of Columbia; to the Committee on the District of Columbia.

By Mr. FULLER of Illinois: Petition of the Chicago Daily Drovers' Journal, for the repeal of the zone system for second-class mail; to the Committee on Ways and Means.

Also, petition of William Castleman, editor of the Unionist, of Chicago, and of the Woman's Club of De Kalb, Ill., for prohibition as a war measure for the conservation of foods; to the Committee on Alcoholic Liquor Traffic.

By Mr. GILLETTE: Resolutions adopted by the United States Army American Band, a musical organization of the city of Springfield, Mass., urging the passage of Senate bill 3888; to the Committee on Military Affairs.

By Mr. GOULD: Petition of a union meeting in Interlaken, N. Y., and a petition of the Woman's Christian Temperance Union of Wayne County, N. Y., urging immediate prohibition as a war measure; to the Committee on the Judiciary.

By Mr. HILLIARD: Petition of S. B. Radcliff and 5 others, all citizens of the State of Colorado, urging prohibition as a war measure; to the Committee on the Judiciary.

Also, petition of James Culton and 41 others, all citizens of the State of Colorado, urging prohibition as a war measure; to the Committee on the Judiciary.

Also, petition of Mrs. Anna Young, Mrs. Susie Tukey, and Mrs. Bardford Crosby, all of Denver, Colo., urging prohibition as a war measure; to the Committee on the Judiciary.

Also, petition of J. C. Miller and 11 others, all citizens of the State of Colorado, urging prohibition as a war measure; to the Committee on the Judiciary.

Also, petition of Ralph J. Steven and 6 others, all citizens of the State of Colorado, urging prohibition as a war measure; to the Committee on the Judiciary.

By Mr. HILLIARD: Petition of Joseph C. Stilwell and 23 others, all citizens of the State of Colorado, urging prohibition as a war measure; to the Committee on the Judiciary.

Also, petition of Mrs. J. D. McKee and 19 others, all of Denver, Colo., urging prohibition as a war measure; to the Committee on the Judiciary.

Also, petition of John V. Barker and 17 others, all of Denver, Colo., urging prohibition as a war measure; to the Committee on the Judiciary.

Also, resolutions adopted by the Denver Photoengravers' Union, No. 18, urging the repeal of that section of the war-revenue act increasing postage rates on periodicals; to the Committee on Ways and Means.

By Mr. KAHN: Petition of James J. Fagan, president San Francisco Clearing House Association and of the California Bankers' Association, opposing the passage of Senate bill 4426, relative to the guaranty of bank deposits in national banks; to the Committee on Banking and Currency.

By Mr. KINKAID: Petition of 250 citizens of Ansley, Nebr., for the enactment of war prohibition; to the Committee on the Judiciary.

By Mr. MORIN: Petition of International Brotherhood of Bookbinders, Local No. 73, of Pittsburgh, Pa., earnestly demanding the repeal of the burdensome periodical-postage amendment; to the Committee on Ways and Means.

By Mr. OSBORNE: Petition of Federal Clubs of the Hollywood (Cal.) Churches, George Brookwell, secretary, urging

immediate prohibition as a war measure; to the Committee on the Judiciary.

By Mr. RANDALL: Petition of the Young People's Society of the New First Congregational Church of Chicago for war-time prohibition; to the Committee on the Judiciary.

By Mr. REED: Evidence to accompany House bill 12274, to increase the pension of John S. Brannon; to the Committee on Invalid Pensions.

By Mr. STEELE: Petitions of residents of Pen Argyl and of Bethlehem, both in the State of Pennsylvania, for the amendment of the Constitution to prevent polygamy in the United States; to the Committee on the Judiciary.

SENATE.

MONDAY, May 27, 1918.

Rev. J. L. Kibler, of the city of Washington, offered the following prayer:

In the plenitude of Thy mercy, O Lord, look upon us as we come humbly into Thy presence. Surely we need Thee as never before. More and more do we realize the tremendous responsibility which rests upon us in the world conflict; and we tremble lest our sins rise up against us and be a reproach to our people. O Thou King of Kings, Thou God of mercy, blot out our transgressions, and incline Thine ear to our supplications. Help us to cling to Thy hand and to claim Thy power. Keep our motives pure, and strengthen our hands for the mighty struggle. Help us to seek that wisdom which is from above, and that righteousness which exalteth a nation; and may Thy kingdom come and over all nations prevail. We ask it for Christ's sake. Amen.

The Journal of the proceedings of Saturday last was read and approved.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Hardwick	Nugent	Smith, Ariz.
Borah	Hitchcock	Overman	Smith, Ga.
Calder	Johnson, Cal.	Page	Smith, Md.
Chamberlain	Johnson, S. Dak.	Penrose	Smith, Mich.
Colt	Jones, Wash.	Phelan	Smoot
Culberson	Kendrick	Pittman	Sutherland
Cummins	Kenyon	Poindexter	Thomas
Curtis	King	Pomerene	Thompson
Fall	Kirby	Ransdell	Townsend
Fletcher	Lewis	Reed	Trammell
France	McCumber	Saulsbury	Vardaman
Frelinghuysen	McLean	Shafroth	Wadsworth
Gallinger	McNary	Sheppard	Walsh
Gerry	Martin	Sherman	Warren
Guion	Myers	Shields	Willey
Harding	Norris	Simmons	

Mr. SUTHERLAND. I wish to announce that my colleague, the senior Senator from West Virginia [Mr. GOFF], is absent on account of illness.

Mr. SHIELDS. I desire to announce that my colleague [Mr. MCKELLAR] is detained on official business. I ask that this announcement may stand for the day.

Mr. GERRY. I wish to announce that the Senator from Mississippi [Mr. WILLIAMS] is detained by illness in his family. This announcement may stand for the day.

Mr. KIRBY. I desire to announce that my colleague, the senior Senator from Arkansas [Mr. ROBINSON] is detained on official business. I wish also to announce that the senior Senator from Kentucky [Mr. JAMES] is detained by illness. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Sixty-three Senators have answered to the roll call. There is a quorum present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the bill (S. 2812) to encourage and promote the mining of coal, phosphate, oil, gas, and sodium on the public domain, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to a concurrent resolution (45) providing that the two Houses of Congress assemble in the Hall of the House of Representatives on Monday, the 27th day of May, 1918, at 1 o'clock in the afternoon, for the purpose of receiving such communication as the President of the United States shall be pleased to make to them, in which it requested the concurrence of the Senate.

JOINT MEETING OF THE TWO HOUSES.

The VICE PRESIDENT laid before the Senate the following concurrent resolution (45) from the House of Representatives, which was read.

IN THE HOUSE OF REPRESENTATIVES, May 27, 1918.

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assembled in the Hall of the House of Representatives on Monday, the 27th day of May, 1918, at 1 o'clock in the afternoon, for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

Mr. MARTIN. I move that the Senate concur in the resolution just laid before the Senate.
The motion was agreed to.

PETITIONS AND MEMORIALS.

Mr. JONES of Washington. I have a petition from the Woman's Civic Club of Seattle asking for the passage of the Susan B. Anthony amendment submitting the question of suffrage to the various States without delay. I ask that it be printed in the RECORD.

There being no objection, the petition was ordered to be printed in the RECORD, as follows:

SEATTLE, WASH., May 17, 1918.

HON. WESLEY L. JONES,
United States Senate.

Whereas the women of our country are cordially responding to every call of our Government in its endeavor to conserve materials and have not hesitated to add to their duties so as to release all available man power for the Army and Navy; and
Whereas President Wilson believes that to grant woman suffrage at this time is a simple matter of justice to patriotic womanhood: Therefore be it

Resolved by the Woman's Civic Club of Seattle, Wash., in regular session assembled, That we urgently pray the United States Senate to pass the Susan B. Anthony amendment submitting the question of suffrage to the various States without delay, thereby assuring all women that democracy is as surely for them as for their brothers, thus enabling suffragists to give their undivided attention to war work; and be it

Resolved, That copies of this resolution be sent to President Wilson, to Vice President Marshall, and to Senators MARTIN, GALLINGER, BORAH, JONES of Washington, and POINDEXTER.
Representing 100,000 women voters.

Mrs. CORNELIUS G. RUNTE,
Corresponding Secretary.

Mr. JONES of Washington presented a petition of McKinley Grange, No. 596, Patrons of Husbandry, of Toppenish, Wash., praying for the enactment of legislation to provide for the leasing of Indian reservation lands only to persons, citizens, or intending citizens of the United States, which was referred to the Committee on Indian Affairs.

He also presented a memorial of the President of the Spokane & Eastern Trust Co., of Spokane, Wash., and a memorial of the Tacoma Savings Bank & Trust Co., of Tacoma, Wash., remonstrating against the enactment of legislation granting to national banks such authority and power that the several States have not granted, which were referred to the Committee on Banking and Currency.

He also presented a telegram in the form of a petition from the local branch, Ohio Woman's Christian Temperance Union, of Columbus, Ohio, praying for national prohibition as a war measure, which was ordered to lie on the table.

Mr. McLEAN. I have received a large number of telegrams containing resolutions favoring the adoption of the Susan B. Anthony amendment. They are so numerous that I do not feel like asking to have them printed in the RECORD, for I believe that is as unwise as it is unnecessary, but I ask unanimous consent that one of them be printed in the RECORD, as it is a fair sample of the very large number which I have received.

There being no objection, one of the telegrams was ordered to be printed in the RECORD, as follows:

NEW HAVEN, CONN., May 27, 1918.

G. P. McLEAN,
Senate Office Building, Washington, D. C.:

Whereas there is tremendous increase in the favorable sentiment toward woman suffrage in this country and widespread recognition of equal suffrage as a war measure; and
Whereas the delay and opposition of the Federal suffrage amendment by undemocratic Members in the Senate is creating a country-wide condemnation: Therefore be it

Resolved, That we, the political workers of the third congressional district of Connecticut, in a meeting called for this purpose, do hereby protest at the deferred action and do earnestly request the Senate to pass the Susan B. Anthony amendment at the earliest possible date, and we also request that this resolution be written into the CONGRESSIONAL RECORD.

HANNAH D. TOWNSHEND, Chairman.
GLADYS BRAGDON, Secretary.

Mr. McLEAN presented petitions of sundry citizens of the State of Connecticut, praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

He also presented a petition of the State Medical Society of Connecticut, praying for the enactment of legislation to provide advanced rank for officers of the Medical Corps of the Army, which was referred to the Committee on Military Affairs.

Mr. NELSON presented petitions of sundry citizens of the State of Minnesota, praying for the submission of a Federal